98TH CONGRESS
1st Session

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OF THE
COMMITTEE ON ARMED SERVICES UNITED STATES SENATE

97TH CONGRESS

FIRST AND SECOND SESSIONS

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(98th Congress, 1st Session)

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(97th Congress, 2d Session)

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LETTER OF TRANSMITTAL

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., March 31, 1983.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: In accordance with the requirements of section 136(b) of the Legislative Reorganization Act of 1946, as amended, submitted herewith is the report on the activities of the Committee on Armed Services during the 97th Congress.

Sincerely,

JOHN TOWER,
Chairman.

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INTRODUCTION

Since 1969, the Senate Armed Services Committee has published annually (except after the first session of the 97th Congress) a summary of its activities in order to provide a concise historical record for the members of the committee and the Senate. In 1970, the Legislative Reorganization Act was passed, requiring that similar activity reports be filed by each committee every Congress. Specifically, the Act requires that:

> Each committee of the Senate shall submit * * * a report on the activities of that committee (with regard to) review and study, on a continuing basis, (of) the application, administration, and execution of those, or parts of laws, the subject matter of which is within the jurisdiction of that committee.

This report presents a summary of the legislative and oversight activities of the Senate Services Committee during the 96th Congress.

The Annual Authorization Process—Historical Development

The committee's primary responsibility is for matters relating to the common defense. The annual authorization process is the principal method by which the committee reviews the policies, programs, and budget, of the Department of Defense.

Authority in this area has developed significantly since 1959. Section 412(b) of the military construction bill of that year proposed an authorization requirement for the procurement of aircraft, missiles, and naval vessels. The committee report on that bill reflected the consensus of the committee that "a thorough examination of this area of activity may serve to reduce the enormous cost of defense and should assist the Committee on Appropriations in their consideration of the mammoth defense budget." [1]

Public Law 86-146 (section 412(b)) was the first of a number of laws which significantly widened the committee's annual authority over specific parts of the defense budget. In 1962 and 1963, section 412(b) was amended to include authorization requirements for research, development, test, and evaluation. The relationship between the development and procurement of weapons is very close and the committee found that adequate consideration of procurement programs required parallel consideration of related research and development. Further amendments to section 412(b) were added in 1965, 1969, and 1970, extending the authorization review to the procurement of tracked vehicles, small arms and artillery, and torpedoes.

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[1] Senate Report 86-296, 86th Congress, 1st Session, May 19, 1959, page 16.

In 1967, the committee expanded the annual authorization process to include the area of defense manpower. From 1967 through 1973, section 412(b) was amended to require committee authorization of the Selected Reserve, active duty military and civilian manpower levels for the Department of Defense, as well as the average military student training loads.

All of the provisions of section 412(b) were codified into section 138 of title 10, United States Code, in 1973. The expanded scope of the authorization requirements has considerably enhanced the ability of the Senate Armed Services Committee to review and evaluate defense policies and programs.

In examining defense programs during the authorization process, the legislative and investigative functions of the committee are often combined. For example, to determine manpower ceilings the committee will review manpower requirements and objectives in light of the perceived threat and present capabilities. During this review, the committee also evaluates the manpower objectives and whether they are being met by qualified personnel. Then, it will examine the planned changes in overall force structure, particularly as it relates to the addition of new ships and aircraft to any requested increase in manpower levels. The committee carefully scrutinizes the Department of Defense authorization request to see if it should be altered and then makes its recommendations to the Senate.

Annual Authorization Bills of the 96th Congress

The congressional budget process puts stringent time constraints on the committee. By March 15, the committee must provide the Budget Committee with target amounts for the national defense budget category for that committee's deliberations and recommendations on the first concurrent budget resolution. The committee recommended $227.5 billion in budget authority and $189.4 billion in outlays for fiscal year 1982. For fiscal year 1982, final budget figures were included in the fiscal year 1983 first concurrent resolution on the budget, and provided $218.2 billion in budget authority and $187.6 billion in outlays for fiscal year 1982 for the national defense budget category. For fiscal year 1983 the committee recommended $263.0 billion in budget authority. The first concurrent budget resolution for 1983 included $253.6 billion in budget authority and $214.0 billion in outlays for the defense category.

In deliberations on the defense authorization bill, fiscal and budgetary constraints were an important consideration. The committee fully supported the congressional budget process and the concurrent resolutions on the budget throughout the authorizations process. Although the committee is concerned about certain problems in the congressional budget process, it feels that only through this type of process will meaningful control over the general level of expenditures be established.

The Senate Armed Services Committee gave careful consideration to the authorization bills of the 97th Congress. During 1981, the committee and subcommittees held a total of 44 hearings, compiling 7 volumes of printed testimony totaling 4,385 pages. In 1982, the committee and subcommittees held a total of 59 hearings, compiling 7 volumes of printed testimony totaling 5,072 pages. Throughout consideration of the Department of Defense Authorization legislation, the full committee received important assistance from the Subcommittees on Tactical Warfare, Strategic and Theater Nuclear Forces, Preparedness, Sea Power and Force Projection and Manpower and Personnel.

The committee reported a supplemental authorization bill for fiscal year 1981 recommending authorization of $2.1 billion for procurement, $600 million for research and development, and $66.4 million for military construction, for a total supplemental funding for fiscal year 1982 of $2.8 billion. This supplemental authorization was $238 million below the Administration's request. Following conference with the House of Representatives, the committee returned to the Senate a compromise bill totaling $2.7 billion, providing $2.2 billion for procurement, $481 million for research and development, and $60 million for military construction.

The Congressional Budget Act requires the committee to report all authorization bills to the Senate by May 15. For fiscal year 1982, the committee recommended authorization of $51.7 billion for procurement, $21.1 billion for research and development, $63.6 billion for operation and maintenance, and $126.8 million for civil defense, for a total authorization of $136.5 billion. This authorization was $29.9 million above the administration's request. During the debate on the Senate floor, sixteen amendments to the bill were proposed; fourteen were passed and two were tabled. After conference with the House of Representatives, the committee returned to the Senate with a compromise bill authorizing $48.0 billion for procurement, $20.4 billion for research and development, $62.2 billion for operation and maintenance, and $130.7 million for civil defense, for a total authorization of $130.7 billion.

For fiscal year 1983, the committee recommended authorization of $87.3 billion for procurement (including ammunition and other procurement accounts which required authorization for the first time), $23.8 billion for research and development, $69.1 billion for operation and maintenance, and $145 million for civil defense, for a total authorization of $180.3 billion. This authorization was $3.2 billion below the administration's request. During debate on the Senate floor, 47 amendments to the bill were proposed, including a committee substitute amendment reducing the authorization bill total by $2.4 billion; 35 were passed, 10 were tabled and 2 were rejected. After an unusually complex conference with the House of Representatives, the committee reported to the Senate a compromise bill totaling $177.9 billion, including $86.4 billion for procurement, $23.1 billion for research and development, $68.3 billion for operation and maintenance, and $152 million for civil defense.

Other Legislative Activity

The annual authorization bill is the major legislative activity of the committee. Frequently, legislative proposals are incorporated into the authorization bill in lieu of separate legislation.

In addition, the committee reported during the First Session the DoD Supplemental Authorization Act of 1981, the Uniformed Services Pay and Benefits Act of 1981, the Military Construction Authorization Act of 1982, the Intelligence Authorization Act, 1982, the Energy National Security Program Authorization Act of 1982, and the Defense Officer Personnel Management Act (to make technical corrections to the Act). During the Second Session, the Committee additionally reported the National Nuclear Waste Policy Act, the Military Construction Authorization Act of 1983, the Military Construction Codification Act, the Intelligence Authorization Act of 1983, the Uniformed Services Former Spouses Protection Act, the Department of Energy National Defense Programs Authorization Act of 1983, the Uniformed Services Pay Act, and the Naval Vessel Transfer Act of 1982.

A summary of this legislation is included in this report.

Oversight and Review

One method by which the committee performs its oversight functions is by requesting from the Secretary of Defense, the Secretaries and Chiefs of the military services, the Comptroller General, and the Library of Congress, reports on subjects that merit continuing congressional review. The process of acquisition of selected major weapons systems, for example, is monitored through a quarterly reporting system that is required by statute.

Nonlegislative investigations are another part of the committee's defense related oversight responsibilities. These include committee, subcommittee, individual Senator and committee staff investigations into matters of public concern. For example, in June 1981 the committee conducted hearings to receive testimony from Department of Defense and public witnesses on the potential effects of proposed reductions in impact aid on various school districts and on the dependent children of military personnel enrolled in public schools. In July the committee held hearings to receive testimony from various officials on arms control issues. Also in July the committee received testimony from Department of Defense officials on newly implemented defense procurement policies designed to combat waste, fraud, and abuse.

In a letter dated September 17, 1981, Senator Charles Percy, chairman of the Senate Foreign Relations Committee, requested that the Senate Committee on Armed Services review the military and technical implications involved in the proposed sale by the United States of certain air defense enhancements to Saudi Arabia—namely, AWACS aircraft, AIM-9L Sidewinder missiles, KC-10 refueling aircraft, and conformal fuel tanks for F-15 aircraft. This information was necessary for the Senate Foreign Relations Committee to formulate a position on resolutions which had been referred to it and which provided for Congressional disapproval of the proposed sale. And on October 22, 1981, after several committee hearings, the Senate Committee on Armed Services submitted to the Senate Foreign Relations Committee a detailed report (Report No. 97-242) which discussed the military and technical implications associated with the sale of air defense enhancements to Saudi Arabia.

Of particular importance were the more than 10 hours of hearings on the President's program to modernize America's deterrent capability conducted by the Strategic and Theater Nuclear Forces Subcommittee. Almost half the testimony was given in open session so that it would be freely usable in Senate debate and available for other public discussion.

In June of 1982 the committee conducted a hearing to receive testimony from the Department of Defense on the proposed integration of the Military Traffic Management Command and Military Sealift Command into a unified command. In May, September and December of 1982 the Committee convened hearings to receive up to date information on the status of the critically important Strategic Arms Reduction Talks, the Intermediate Nuclear Forces Negotiations and the Presidential decisions on the basing of the MX missile. Late in the Second Session of the Ninety-Seventh Congress, the committee conducted the first in a series of hearings related to the organization and operation of the Joint Chiefs of Staff.

The committee receives briefings each year from the Government intelligence agencies. All of these investigations and briefings increase the committee's understanding of national security issues and better enable it to oversee national defense programs and policies.

Nominations

Another important function of the committee is to assist the Senate in exercising its constitutional duties in the nomination process. The committee considers all nominations for the Department of Defense positions requiring the advice and consent of the Senate. The committee acted on 29 top-level nominations in 1981 and 15 such nominations in 1982. All of these nominations were later confirmed by the Senate.

Following hearings and favorable committee reports, Caspar W. Weinberger was confirmed as Secretary of Defense, Frank C. Carlucci was confirmed as Deputy Secretary of Defense, John O. Marsh, Jr. was confirmed as Secretary of the Army, John F. Lehman, Jr. was confirmed as Secretary of the Navy, George Vernon Orr, Jr. was confirmed as Secretary of the Air Force, William H. Taft, IV was confirmed as General Counsel of the Departmen of Defense, Richard D. DeLauer was confirmed as Under Secretary of Defense for Research and Engineering, and Thomas K, Turnage was confirmed as Director of Selective Service, in the first session; in the second session, W. Paul Thayer was confirmed as Deputy Secretary of Defense, General John W. Vessey, Jr., United States Army, was confirmed as Chairman of the Joint Chiefs of Staff, Admiral James D. Watkins, United States Navy, was confirmed as Chief of Naval Operations, General Charles A. Gabriel, United States Air Force, was confirmed as Chief of Staff of the Air Force, and Major General Emmett H. Walker, Army National Guard, was confimred as Chief of the National Guard Bureau. In addition, over 177,000 nominations for military promotions were routinely considered by the committee.

The Work of Subcommittees

The Subcommittees of the Senate Armed Services Committee always play a vital part in the committee's work. The Subcommittees on Tactical Warfare, Strategic and Theater Nuclear Forces, Preparedness, Sea Power and Force Projection, and Manpower and Personnel spent long hours examining the appropriate portions of the defense authorization request, greatly enhancing the full committee's ability to make constructive recommendations to the Senate.

The Military Construction Subcommittee thoroughly reviewed the military construction authorization requests of approximately $7.0 billion for fiscal year 1982, $7.8 billion for fiscal year 1983, and $66 million for the fiscal year 1981 supplemental (reviewed as part of the fiscal year 1981 Department of Defense Supplemental Authorization bill).

The subcommittees were reorganized at the beginning of the 97th Congress, to provide for review of the operation and maintenance authorization request and to provide for increased oversight and continuity in reviewing the research and development and the procurement accounts. The subcommittees were organized according to general mission areas, introducing the Subcommittees on Tactical Warfare, Strategic and Theater Nuclear Forces, and Sea Power and Force Projection, while dissolving the former Subcommittees on General Procurement, Research and Development, Arms Control, and Procurement Policy and Reporgramming. The Subcommittee on Preparedness was created for the purpose of reviewing the operations and maintenance budget requests.

JURISDICTION

The Legislative Reorganization Act of 1946 (Public Law 601 of the 79th Congress, approved August 2, 1946, amended by Public Law 91-510, approved Oct. 26, 1970) in Part I created the standing committees of the Senate and provided that the Committee on Armed Services should consist of 13 Senators; amended by Senate Resolution 18 of the 82d Congress (1953) to consist of 15 Senators; amended by Senate Resolution 24 of the 86th Congress (1959) to consist of 17 Senators; amended by Senate Resolution 11 of the 90th Congress (1967) to consist of 18 Senators; amended by Public Law 91-510 (1970) to consist of 15 Senators; further amended by Senate Resolution 15, of the 92d Congress to consist of 16 Senators; further amended by Senate Resolution 10 of the 93d Congress (1973) to consist of 15 Senators; and further amended by Senate Resolution 17 of the 94th Congress to consist of 16 Senators; further amended by Senate Resolution 4, and subsequently by Senate Resolution 82, 95th Congress (1977), to consist of 18 Senators, and further amended by Senate Resolution 21, 96th Congress (1979), to consist of 17 Senators; and further amended by Senate Resolution 365 of the 97th Congress (1982) to consist of 18 Senators, and that to said committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects: (Rule XXV(c)(1) of the Standing Rules of the Senate.)

1. Aeronautical and space activites peculiar to or primarily associated with the development of weapons systems or military operations.
2. Common defense.
3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.
4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone.
5. Military research and development.
6. National security aspects of nuclear energy.
7. Naval petroleum reserves, except those in Alaska.
8. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents.
9. Selective service system.
10. Strategic and critical materials necessary for the common defense.

COMMITTEE ON ARMED SERVICES

97th Congress

JOHN TOWER, Texas, _Chairman_
_January 15, 1965_*

STROM THUMOND, South Carolina
_January 14, 1959_*
BARRY GOLDWATER, Arizona
_January 14, 1969_*
JOHN W. WARNER, Virginia
_January 23, 1979_*
GORDON J. HUMPHREY, New Hampshire
_January 23, 1979_*
WILLIAM S. COHEN, Maine
_January 23, 1979_*
ROGER W. JEPSEN, Iowa
_January 23, 1979_*
DAN QUAYLE, Indiana
_January 5, 1981_*
JEREMIAH DENTON, Alabama
_January 5, 1981_*
NICHOLAS F. BRADY, New Jersey
_April 20, 1982_*

JOHN C. STENNIS, Mississippi
_January 15, 1951_*
HENRY M. JACKSON, Washington
_June 25, 1954_*
HOWARD W. CANNON, Nevada
_January 14, 1959_*
HARRY F. BYRD, Jr., Virginia
_January 14, 1966_*
SAM NUNN, Georgia
_January 4, 1973_*
GARY HART, Colorado
_January 17, 1975_*
J. JAMES EXON, Nebraska
_January 23, 1979_*
CARL LEVIN, Michigan
_January 23, 1979_*

The Senate Committees on Military Affairs; on the Militia; and Naval Affairs; were established on December 10, 1816. The Committee on the Militia was merged with the Committee on Military Affairs in 1858 to form the Military Affairs and Militia Committee. However, in 1872 the committee dropped "militia" from its name. The Military Affairs and Naval Affairs Committees existed until 1947 when they were combined by the Legislative Reorganization Act of 1946 into a new standing committee, the current Committee on Armed Services.

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*Date of appointment to the Senate Armed Services Committee.

SUBCOMMITTEE APPOINTMENTS

Republican Members *Democratic Members*

Military Construction

Senator Thurmond, *Chairman*

Senator Warner
Senator Humphrey
Senator Denton

Senator Hart
Senator Jackson
Senator Cannon
Senator Exon

Tactical Warfare

Senator Goldwater, *Chairman*

Senator Thurmond
Senator Warner
Senator Jepsen

Senator Cannon
Senator Byrd
Senator Levin

Strategic and Theater Nuclear Forces

Senator Warner, *Chairman*

Senator Thurmond
Senator Goldwater
Senator Cohen
Senator Quayle

Senator Jackson
Senator Cannon
Senator Nunn
Senator Hart
Senator Exon

Preparedness

Senator Humphrey, *Chairman*

Senator Goldwater
Senator Jepsen

Senator Levin
Senator Jackson

Sea Power and Force Projection

Senator Cohen, *Chairman*

Senator Humphrey
Senator Quayle
Senator Denton

Senator Byrd
Senator Nunn
Senator Hart

Manpower and Personnel

Senator Jepsen, *Chairman*

Senator Cohen
Senator Quayle
Senator Denton

Senator Exon
Senator Byrd
Senator Nunn

RELATIONSHIP OF ANNUAL AUTHORIZATION TO DEPARTMENT OF DEFENSE APPROPRIATIONS

History of Section 138, Title 10, United States Code

(Superseding "Section 412")

The jurisdiction of the committee so far as specific annual authorizations are concerned was increased significantly in 1959 by the enactment of section 412(b) of Public Law 86-149 which required annual congressional authorization of appropriations for the procurement of aircraft, missiles, and naval vessels. That law was amended and expanded as follows:

In 1962 (Public Law 87-436) to require similar authorization of appropriations for research, development, test, or evaluation associated with aircraft missiles, and naval vessels;

In 1963 (Public Law 88-174) to require authorization of appropriations for all research, development, test, or evaluation carried on by the Department of Defense;

In 1965 (Public Law 89-37) to require authorization of appropriations for the procurement of tracked combat vehicles;

In 1967 (Public Law 90-168) to require annual authorization of the personnel strengths of each of the Selected Reserves of the Reserve components as a prior condition for the appropriation of funds for the pay and allowances for the Reserve components;

In 1969 (Public Law 91-121) to require authorization of appropriations for the procurement of other weapons to or for the use of any armed force of the United States. (Essentially, heavy, medium, and light artillery, antiaircraft artillery, rifles, machineguns, mortars, small arms weapons, and any crew-fired piece using fixed ammunition);

In 1970 (Public Law 91-441) to require authorization of appropriations to or for the use of the Navy for the procurement of torpedoes and related support equipment; and to require authorization of the average annual active duty personnel strength for each component of the Armed Forces as a condition precedent to the appropriation of funds for this purpose;

In 1972 (Public Law 92-436) to require annual authorization for the average military training student loads for each component of the Armed Forces, and modified the provisions relating to authorization for active duty personnel strength;

In 1973 (Public Law 93-155) to require authorization for end strength civilian employment for each component of the Defense Department in each fiscal year;

In 1975 (Public Law 94-106) to require the annual authorization of military construction of ammunition facilities; and

In 1980 (Public Law 96-342) to require the annual authorization of appropriations of funds for the operation and maintenance of any armed force or the activities and agencies of the Department of Defense (other than the military departments) for fiscal years beginning after September 30, 1981.

In 1982 (Public Law 97-86) to require the annual authorization of appropriations of funds for procurement of ammunition or other procurement for any armed force or for agencies of the Department of Defense (other than military departments).

Also, in 1973 these enactments were codified by section 803(a) of Public Law 93-155 into Title 10, United States Code, as section 138. The law today reads as follows:

§ 138. Annual authorization of appropriations and personnel strengths for the armed forces; annual manpower requirements and operations and maintenance reports

(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

(1) procurement of aircraft, missiles, or naval vessels;

(2) any research, development, test, or evaluation, or procurement or production related thereto;

(3) procurement of tracked combat vehicles;

(4) procurement of other weapons;

(5) procurement of naval torpedoes and related support equipment;

(6) military construction (as defined in subsection (f)); or

(7) the operation and maintenance of any armed forces or the activities and agencies of the Department of Defense (other than the military departments);

(8) procurement of ammunition; or

(9) other procurement by any armed force or by the activities and agencies of the Department of Defense (other than the military departments);

unless funds therefor have been specifically authorized by law.

(b)(1) Congress shall authorize the average personnel strength of the Selected Reserve of each reserve component of the armed forces. No funds may be appropriated for any fiscal year for the pay and allowances of members of any reserve component of the armed forces unless the personnel strength of the Selected Reserve of that reserve component for that fiscal year has been authorized by law.

(2) The Secretary of Defense shall submit to the Congress each year, not later than February 15, a written report concerning the equipment of the National Guard and the reserve components of the armed forces for each of the three succeeding fiscal years. Each such report shall include—

(A) recommendations as to the type and quantity of each major item of equipment which should be in the inventory of the Selected Reserve of the Ready Reserve of each reserve component of the armed forces;

(B) the quantity and average age of each type of major item of equipment which is expected to be physically available in the inventory of the Selected Reserve of the Ready Reserve of each reserve component as of the beginning of each fiscal year covered by the report;

(C) the quantity and cost of each type of major item of equipment which is expected to be procured for the Selective Reserve of the Ready Reserve of each reserve component from commercial sources or to be transferred to each such Selected Reserve from the active-duty components of the armed forces; and

(D) the quantity of each type of major item of equipment which is expected to be retired, decommissioned, transferred, or otherwise removed from the physical inventory of the Selected Reserve of the Ready Reserve of each component and the plans for replacement of that equipment.

The report required by this paragraph shall be prepared and expressed in the same format and with the same level of detail as the information presented in the annual Five Year Defense Program Procurement Annex prepared by the Department of Defense.

LEGISLATION REPORTED AND ENACTED INTO PUBLIC LAW

To authorize supplemental appropriations for fiscal year 1981 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, and for research, development, test, and evaluation, to increase the authorized personnel end strengths for military and civilian personnel of the Department of Defense for such fiscal year, to authorize supplemental appropriations for such fiscal year for construction at certain military installations, and for other purposes.

(Public Law 97-39, 97th Congress, S. 694, August 14, 1981)

Purpose of the bill

In addition to the funds previously authorized to be appropriated in fiscal year 1981 for the Department of Defense, this bill:

1. Authorizes additional appropriations for procurement of aircraft for the Army, Navy, Marine Corps and Air Force, naval vessels for the Navy, and tracked combat vehicles for the Army and Marine Corps;
2. Authorizes additional appropriations for research, development, test, and evaluation for the Army, Navy (including the Marine Corps), Air Force and Defense Agencies;
3. Increases the active duty personnel end strengths for the Army, Navy, Marine Corps and Air Force;
4. Increases the number of Marine Corps Reserve members authorized to serve on full-time active duty for the purpose of organizing, administering, recruiting, instructing, or training;
5. Increases the civilian personnel end strength for the Department of Defense;
6. Increases the authorization of the annual military training student load for the Air National Guard;
7. Authorizes additional appropriations for military construction projects; and
8. Enacts certain general provisions relating to the operations of the Department of Defense.

Committee considerations

The committee welcomed the initiatives undertaken by the administration to raise the priority of our national defense program. The committee stated its belief that necessary steps should be taken immediately to modernize and improve our land, sea and air forces.

While the committee generally is not favorably disposed toward supplemental budget requests from the Department of Defense, it believed that current circumstances warranted the consideration of several initiatives which should not be postponed until the next fiscal year.

Floor Action

The Senate accepted the committee recommendation, adding an amendment to eliminate entitlement to continuous submarine duty incentive pay in certain cases not intended to be included in the committee recommendation.

Conference Action

There were a number of programs in Titles I and II of the fiscal year 1981 Department of Defense Supplemental authorization request for which funds were previously authorized in the Department of Defense Authorization Act, 1981 but for which funds were not appropriated in the Department of Defense Appropriations Act, 1981.

The Senate version of the Department of Defense supplemental authorization bill provided, in effect, a reauthorization for each such program. The House amendment contained no authorization in all but one case for such programs. It was agreed in conference that authorization provided by the Department of Defense Authorization Act, 1981, was still available. This action should not in any way suggest anything but full support for any such programs where prior authorization was provided. For example, the conferees fully support the availability of $89.0 million for the Battleship NEW JERSEY (BB-62), $15.2 million for the LSD-41 long lead, and $57.1 million for the FFG-7 and LAMPS III (cost growth) in Navy procurement.

The total authorization enacted for supplemental appropriations for fiscal year 1981 in the amount of $2,641,462,000 is as follows:

DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATION AUTHORIZATION ACT, FISCAL YEAR 1981, CONFERENCE ACTION

SUMMARY OF FUNDS AUTHORIZED IN BILL

[Dollar amounts in thousands]

	March amended request[1]	Change from request	Recommendation
Procurement:			
Aircraft:			
Army	$128,000		$128,000
Navy and Marine Corps	143,600		143,600
Air Force	716,625		716,625
Subtotal	988,225		988,225
Missiles:			
Army	27,000		27,000
Navy			0
Marine Corps	10,700		10,700
Air Force	209,369		205,869
Subtotal	247,069		243,569
Naval vessels	317,700		149,900
Tracked combat vehicles:			
Army	796,000		796,000

DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATION AUTHORIZATION ACT, FISCAL YEAR 1981, CONFERENCE ACTION—Continued

[Dollar amounts in thousands]

	March amended request[1]	Change from request	Recommendation
Marine Corps	11,300		11,300
Subtotal	807,300		807,300
Total procurement	2,360,294		2,188,994
Research and development:			
Army	79,500		83,463
Navy	146,900		138,067
Air Force	330,900		242,462
Defense agencies	41,000		16,936
Director, test and evaluation			
Total research and development	598,300		480,928
Total procurement and research and development	2,958,594		2,669,922
Military construction:			
Army	1,800		1,800
Navy	2,000		2,000
Air Force	56,100		55,240
Defense agencies	900		900
Family housing	16,022		0
Reserve forces	6,500		6,500
Total, military construction	83,322		66,440
Grand total	3,041,916		2,736,362

[1] Fiscal year 1981 supplemental.

SUMMARY OF PERSONNEL END STRENGTH CHANGES AUTHORIZED IN BILL

	Increase requested	Increase authorized
Title III—Active forces:		
Active duty manpower:		
Army	0	+4,700
Navy	+3,000	+3,000
Marine Corps	+2,500	+2,500
Air Force	+4,500	4,500
Title IV—Reserve forces:		
Full time Reserve personnel:		
Marine Corps	+66	+66
Title V—Civilian personnel:		
Civilian manpower	+19,600	+19,600

Note.—Statutory language was included in the bill which identified specific military construction projects.

SUMMARY OF AMENDMENTS TO FISCAL YEAR 1980 MILITARY AUTHORIZATION BILL ACTED UPON DURING SENATE FLOOR DEBATE AND CONFERENCE ACTION

Amendment number and Senator	Subject	Vote	Conference action
55, Tower	Modify entitlement to continuous submarine duty incentive pay.	Passed, voice vote, Apr. 7, 1981	Adopted.
56, Pressler	Delete funding for MX missile system.	Tabled, 79–15, Apr. 7, 1981	

SUMMARY OF AMENDMENTS TO FISCAL YEAR 1980 MILITARY AUTHORIZATION BILL ACTED UPON DURING SENATE FLOOR DEBATE AND CONFERENCE ACTION—Continued

Amendment number and Senator	Subject	Vote	Conference action
57, Bumpers	Prohibit funds for reactivation of battleship *New Jersey*.	Tabled, 69-23, Apr. 7, 1981	

LEGISLATIVE HISTORY

House Reports: No. 97-20 (Committee on Armed Services) and No. 97-204 (Committee of Conference).
Senate Report No. 97-35 (Committee on Armed Services).
Congressional Record, Vol. 127 (1981):
- Apr. 7, considered and passed Senate.
- June 15, 23, considered and passed House.
- July 30, Senate agreed to conference report.
- Aug. 14, House agreed to conference report.

To authorize appropriations during the fiscal year 1982, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, to authorize the military training student loads, and to authorize appropriations for civil defense and for other purposes

(Public Law 97-86, 97th Congress, S. 815, December 1, 1981)

Committee considerations during conference

Final conference action on S. 815 was considerably delayed by an unusually-timed budget revision submitted by the Administration and by delay in receiving Administration proposals on strategic programs. The new Administration had submitted a budget amendment on March 10, 1981, which involved substantial increases in the Defense request above the original fiscal year 1982 budget received in January, and the March 10 amendment formed the basis for developing the Senate bill and the House amendment thereto which were committed to conference.

Subsequent to the start of the conference, the Administration submitted on October 2 a revision to the budget request for the Department of Defense to incorporate changes deemed necessary as a result of the Administration's revised economic forecast and also to incorporate budget changes to implement the President's decisions on strategic programs. The revised authorization request of October, $130,277.063 million, constituted a reduction of $6,214.188 million from the President's March request and involved substantial downward revisions of procurement, RDT&E and other programs.

In view of the considerable delay already experienced and recognizing that final authorization and appropriations would not be enacted until well after the new fiscal year had already started, the conferees determined that extended further delay occasioned by further hearings would be too disruptive to the authorization and appropriations process and that, therefore, the conferees should work to approving a conference report that considered, to the extent possible, the new budget revisions.

The conferees determined that failure to take into account the substantial adjustment in authorizations requested as a result of the October budget revision would be inconsistent with the obligations of the authorization process. The conferees, therefore, determined that in light of the significant fiscal restraints already imposed on the Federal budget and the revised priorities in the Administration's submission of October, reductions had to be made in S. 815. Consequently, the conferees agreed to an authorization level that, in a number of authorization categories, was substantially below the amounts initially contained in either the Senate bill or the House amendment.

TITLE I—PROCUREMENT

Amounts requested and authorization enacted for the various major categories of weapons for fiscal year 1982 are shown in the following table:

[Dollars in thousands]

Item	March 1981 request	October 1981 amended request	Authorization
TITLE I			
Procurement:			
Army aircraft	1,797,400	1,897,300	1,910,200
Navy/Marine Corps aircraft	9,352,500	9,244,500	9,302,500
Air Force aircraft	14,751,898	13,843,898	13,773,698
Army missiles	2,842,500	2,210,200	2,146,900
Navy missiles	2,555,000	2,567,000	2,567,000
Marine Corps missiles	223,024	223,024	223,024
Air Force missiles	4,658,246	4,204,646	4,186,846
Naval vessels	10,290,100	8,475,300	8,795,900
Army tracked combat vehicles	3,487,300	3,201,300	3,251,200
Marine Corps tracked vehicles	281,739	281,600	281,739
Torpedoes and related support equipment, Navy	516,600	516,600	516,600
Army other weapons	655,400	655,400	655,400
Navy other weapons	200,200	200,200	200,200
Marine Corps other weapons	136,344	136,483	136,344
Air Force other weapons	3,047	3,047	3,047
Army National Guard	0	0	50,000
Total, procurement	51,751,298	47,660,498	48,000,598

Statutory language is included pertaining to the following weapon systems:

Long-range combat aircraft (B-1).—$1,801,000,000 is made available only for procurement of long-range combat aircraft (B-1 bombers).

NATO AWACS.—Authorizes $344,300,000 for the NATO AWACS program, available only for the United States' contribution of its share of the cost of this program for fiscal year 1982. In addition, statutory language is included granting certain authority to the

Secretary of Defense in connection with the NATO AWACS program.

TITLE II—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Amounts requested and authorization enacted for research, development, test and evaluation for fiscal year 1982 are shown in the following table:

R.D.T. & E. SUMMARY

[In thousands of dollars]

	Budget request March 1981	Revised budget request October 1981	Authorization
Army	3,905,200	3,768,500	3,746,299
Navy [1]	6,086,371	5,888,571	6,072,167
Air Force	9,398,100	8,823,400	8,686,800
Defense agencies	1,881,400	1,789,000	1,846,847
Director, test and evaluation	53,000	53,000	53,000
Total, budget authority	21,324,071	20,322,471	20,405,113

[1] Includes $3,083,000 in special foreign currency.

Statutory language was included pertaining to the development of the following weapons systems:

Long-range combat aircraft.—None of the funds authorized for the long-range combat aircraft may be obligated or expended for RDT&E or procurement before November 18, 1981, and such funds may not be obligated or expended after that date if the Senate and the House of Representatives have agreed to resolutions of disapproval of the President's decision regarding development of this aircraft. Additional procedural rules concerning such resolutions are prescribed.

MX missile and basing mode.—Provides that no funds authorized for development of an operational basing mode for the MX missile may be obligated or expended before November 18, 1981, and that no such funds may be obligated or expended after this date if the Senate and the House of Representatives have agreed to resolutions expressing disapproval. Rules concerning such resolutions are specified. Direction is provided that an initial operational capability (IOC) for the MX missile shall be not later than 1986.

TITLE III—OPERATION AND MAINTENANCE

Amounts requested and authorization enacted for operation and maintenance for fiscal year 1982 are shown in the following table:

O. & M. SUMMARY

[In thousands of dollars]

	March 1981 request	October 1981 amended request	Authorization
Army	17,214,744	16,864,044	17,024,044
Navy	20,682,210	20,189,810	20,130,410
Air Force	19,249,340	19,056,552	18,898,140

O. & M. SUMMARY—Continued

[In thousands of dollars]

	March 1981 request	October 1981 amended request	Authorization
Marine Corps	1,235,839	1,217,239	1,249,939
Defensewide	4,900,907	4,833,607	4,859,207
Total, budget authority	63,283,040	62,161,252	62,161,740

Statutory language was included pertaining to the following reports and activities:

Annual O. & M. report.—The requirement for an annual O. & M. report was modified by striking out portions of title 10, United States Code.

Veterinary support to defense R. & D. activities.—Prohibits use of funds for converting military veterinary positions that are supporting research and development activities of the Department of Defense or of any of the Armed Forces to civilian positions.

Contracting out entire medical facilities.—Prohibits use of funds for the purpose of contracting out an entire medical facility.

Leased Satellite Communications (LEASAT) System.—Authorizes $67,000,000 for the Leased Satellite Communications (LEASAT) system.

TITLE IV—ACTIVE FORCES

End strengths requested and authorization enacted for active duty personnel of each component of the Armed Forces for fiscal year 1982 are shown in the following table:

	March request	Authorization
Army	786,300	780,300
Navy	554,700	554,600
Marine Corps	192,100	192,100
Air Force	586,800	580,800
Total	2,119,900	2,107,800

Included in this title are the following statutory provisions:

Section 402.—This section imposes minimal score requirements for persons enlisting in the Armed Forces who are not high school graduates.

Section 403.—This section designates Air Force physician assistants as commissioned officers.

Section 404.—This section repeals limitations on dependents overseas and requires an annual report from the Secretary of Defense concerning dependents overseas.

Section 405.—This section changes the title of the new permanent flag grade for the Navy from Commodore Admiral to Commodore.

Section 406.—This section provides for extension of a pilot Department of Defense educational loan repayment program.

TITLE V—RESERVE FORCES

Average strengths requested and authorization enacted for the Selected Reserve of each Reserve component of the Armed Forces for fiscal year 1982 are shown in the following table:

	March request	Authorization
Army National Guard	392,800	392,800
Army Reserve	235,300	235,300
Naval Reserve	87,600	37,600
Marine Corps Reserve	37,600	98,600
Air National Guard	98,600	62,800
Air Force Reserve	62,800	12,000
Coast Guard Reserve	11,700	

Within the average strengths listed above, the reserve components are also authorized, as of September 30, 1982, the following number of Reservists serving on full-time active duty for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

Army National Guard 11,439
Army Reserve 6,285
Naval Reserve 208
Marine Corps Reserve 447
Air National Guard 3,312
Air Force Reserve 701

Included in this section are the following statutory provisions:

Section 502.—This section provides authority to exceed end strength for reservists on full time active duty.

Section 503.—This section increases the number of certain personnel authorized to be on active duty in support of the reserve components.

Section 504.—This section directs the Secretary of Defense to present a plan for resolving the existing shortage in pretrained military manpower and to study defense mobilization capability.

Section 505.—This section provides for extension of reserve bonus authority.

TITLE VI—CIVILIAN PERSONNEL

The Congress authorized an end strength of civilian personnel of 1,024,500 for fiscal year 1982, in accordance with the October Administration request. This was a reduction of 400 from the March request.

The Secretary of Defense was directed to discontinue the practice of reducing civilian personnel authorization requests in anticipation of unspecified conversions from performance by Department of Defense personnel to performance by private contractors.

Included in this section are the following statutory provisions:

Section 601.—This section directs the use of civilian personnel to replace Army military manpower performing civilian functions.

Section 602.—This section repeals the requirement for reduction in number of senior-grade civilian employees.

Section 603.—This section authorizes the Defense Department to contract for the temporary or intermittent services of college students to provide short-term technical support at Defense research and development laboratories.

TITLE VII—MILITARY TRAINING STUDENT LOADS

The requested and enacted average military training student loads of the Armed Forces for fiscal year 1982 are shown in the following table:

	Request	Authorization
Active forces:		
Army	75,728	75,728
Navy	65,133	65,133
Marine Corps	18,311	18,311
Air Force	46,389	46,389
Subtotal	205,561	205,561
Reserve components:		
Army National Guard	9,841	9,841
Army Reserve	15,526	15,526
Naval Reserve	1,041	1,041
Marine Corps Reserve	2,835	2,835
Air National Guard	2,804	2,804
Air Force Reserve	1,405	1,405
Subtotal	33,452	33,452
Total	239,013	239,013

Specific authorization is provided for a portion of the requested student loads for the Army components for utilization solely for One Station Unit Training (OSUT). Also, the Secretary of Defense is required to adjust the military training student loads consistent with the manpower strengths in titles IV, V and VI of this act.

Included in this section is the following statutory provision:

Section 702.—This section provides for a one-year extension in number of students required to maintain a Junior Reserve Officers' Training Corps unit.

TITLE VIII—CIVIL DEFENSE

The Congress authorized $129,000,000 for the purpose of carrying out the provisions of the Federal Civil Defense Act of 1950.

Included in this title are the following statutory provisions:

Section 802.—This section amends the Federal Civil Defense Act to increase the limitation on appropriations for personnel and administrative expenses from $40 million to $47 million.

Section 803.—This section enables States to use funds for the preparation for and response to both attack-related and disaster-related events.

TITLE IX—GENERAL PROVISIONS

Section 901.—This section requires the annual authorization of appropriations for ammunition and other procurement not currently subject to annual authorization effective in fiscal year 1983.

Section 902.—This section requires an annual report on National Guard and Reserve component equipment.

Section 903.—This section allows the President to defer military or civilian end strength ceilings for a period of two months during a war or national emergency.

Section 904.—This section prohibits certain civilian personnel management constraints.

Section 905.—This section clarifies authority for cooperation between military and civilian law enforcemen officials.

Section 906.—This section changes the determination of CHAMPUS payments.

Section 907.—This section provides for an increase in dollar thresholds for certain defense contract regulations.

Section 908.—This section specifies Department of Defense procedures for procurement of automatic data processing equipment from the General Services Administration, and provides for certain exemptions.

Section 909.—This section specifies criteria to be used when considering multiyear procurement contracts.

Section 910.—This section modifies title 10 of the United States Code which affects research grants.

Section 911.—This section modifies the defense contract profit limitation provisions of the Vinson-Trammell Act of 1934.

Section 912.—This section provides authority to make available grants or other funds to communities affected by base closures and realignments, or cancellation of major defense contracts.

Section 913.—This section prohibits the use of Department of Defense funds to pay a price differential for the purpose of relieving economic dislocations.

Section 914.—This section contains a prohibition against doing business with certain contractors.

Section 915.—This section provides authority to modify civil aircraft to carry military cargo and provides financial incentives for civilian participation in the Civil Reserve Air Fleet program.

Section 916.—This section provides for enforcement of the Selective Service System

Section 917.—This section requires the submission of unit cost reports to explain the reasons for cost growth, and prohibits the expenditure of funds if reports are not submitted within the required time frames.

Section 918.—This section requires the submissions of recommendations for improving the efficiency and management of the Department of Defense with respect to the elimination of waste, fraud, abuse and mismanagement.

Section 919.—This section requires a report on allied contributions to the common defense.

Section 920.—This section provides assistance to the Yorktown Bicentennial Celebration.

SUMMARY OF AMENDMENTS TO FISCAL YEAR 1982 MILITARY AUTHORIZATION BILL ACTED UPON DURING SENATE FLOOR DEBATE AND CONFERENCE ACTION

Amendment number and Senator	Subject	Vote	Conference action
48, Levin	Reduction of funds for O&M	Tabled, 66–29, May 14, 1981	
49, Levin	Basing mode for MX	Tabled, 59–39, May 13, 1981	
95, Proxmire	Servicemen's life insurance	Passed, voice vote, May 13	Rejected.
96, Simpson	Denial of benefits to persons failing to complete enlistment.	do	Do
97, Hart	Reopening of arms control talks	do Do.	
98, Schmitt	Minuteman III replacement	do	Do.
99, Cohen	Prohibitions on contractors	do	Adopted, modified form.
100, Jepsen-Exon	Selective Service registration	do	Do.
102, Pryor	Sole source procurement	do	Do.
103, Wallop	Space-based lasers	Passed, 91–3, May 13, 1981	Do.
104, Tower	Intelligence authorization	Passed, voice vote, May 13, 1981	Adopted.
105, Nunn	Unit cost reports	Passed, 96–0, modified form, May 14, 1981.	Adopted, modified form.
107/108, Warner-Moynihan	Extension of funds under certain conditions to relieve economic dislocation.	Passed, 97–9, modified form, May 14, 1981.	Adopted.
109, Domenici	Survivable Optical Forware Acquisition System (SOFAS).	Passed, voice vote, May 14, 1981	Rejected.
110, Tower	Reducing funds to offset funding additions in floor amendments.	do	Adopted, modified form.
111, Tower	Technical amendment	do	Adopted.

COMMITTEE RECOMMENDATIONS ON S. 815, THE FISCAL YEAR 1982 DEFENSE AUTHORIZATION BILL

The committee recommendation on the funding and manpower portions of the bill are presented in the following table:

SUMMARY OF FUNDS AND MANPOWER AUTHORIZED IN COMMITTEE BILL

[Dollar amounts in millions; years are fiscal years]

	1981 authorization [1]	1982 March amended request	Change from request	Committee recommendation
Procurement	$35,770	$51,751	$−47	$51,704
R.D.T. & E	16,888	21,324	−210	21,114
Operation and maintenance	(2)	63,283	+293	63,576
Civil defense	120	133	−6	127
Total funds authorized	52,778	136,491	+30	136,521
Manpower (in thousands):				
Active duty	2,065.4	2,119.9	−5.3	2,114.6
Selected Reserve	861.7	926.4	0	926.4
Civilian	986.0	1,024.9	−.7	1,024.2
Total manpower authorized	3,913.1	4,071.2	−6.0	4,065.2

[1] Does not includes Mar. 11, 1981, supplemental authorization requests for fiscal year 1981, for procurement and R.D.T. & E, in the amount of $2,958,594,000 and for manpower totaling 37,900.

[2] Prior to fiscal year 1982, authorization for operation and maintenance was not required.

HIGHLIGHTS OF COMMITTEE ACTION

The committee recommends a total of $136.5 billion to be authorized for procurement, research and development, operation and maintenance, and civil defense for the 1982 fiscal year. The amount recommended is an increase of $30 million to the request.

MAJOR CHANGES BY COMMITTEE TO FISCAL YEAR 1982 REQUESTS

Senate Report 97-58 accompanying the authorization bill discusses in detail the various changes recommended by the committee on all aspects of the bill. The following is a list of the more significant changes recommended by the committee.

PROCUREMENT CHANGES

Addition of 20 Army AH-1S Helicopters

Addition of $64.4 million to procure 20 AH-1S attack helicopters.

Reduction in Funds for Blackhawk Helicopters

Reduction of $25.1 million for procurement of Blackhawk helicopters.

Deletion of 5 Navy F-18 Fighter Aircraft

Reduction of $147.1 million to procure 58 rather than 63 F-18 fighter aircraft.

Addition of 12 Navy C-9 Aircraft

Addition of $50 million for procurement of 12 C-9 aircraft available as excess from commercial airlines.

Addition of 2 P-3C Aircraft

Addition of $46 million for procurement of 2 P-3C ASW patrol aircraft.

Addition of 12 Air Force A-7K Aircraft

Addition of $163.8 million for procurement of 12 A-7K combat trainer aircraft.

Addition of 12 Air Force C-130 Aircraft

Addition of $172 million for procurement of 12 C-130 transport aircraft.

Reduction in Advance Procurement Funds and Bill Language for B-52 Companion Trainer Aircraft

Reduction of $2.9 million for advance procurement for B-52 Companion Trainer Aircraft and restriction on expenditure of program funds until source selection decision has been submitted to the Congress.

Reduction in Funds for Modification of F-106 Interceptors

Reduction of $15.6 million for modification of F-106 interceptors.

Reduction in Funds for Modification of B-52 Aircraft

Reduction of $12.1 million for modification of B-52 aircraft.

Addition of Funds for Procurement of Mark-12A Warheads

Addition of $53.7 million to begin procurement of 510 Mark-12A warheads for the retrofitting of Minuteman III missiles.

Reduction in Funds for Patriot Missile System

Reduction of $373.4 million for procurement of the Patriot air defense missile system.

Reduction in Funds for an Ohio-class Submarine

Reduction of $985.8 million for procurement of the tenth *Ohio*-class Trident submarine. Retains $75 million in additional long-lead funds.

Addition in Long-Lead Funds for the Eleventh Ohio-class Submarine

Addition of $35 million in long-lead funding for the eleventh *Ohio*-class Trident submarine.

Deletion of Funds for Reactivation of USS Oriskany

Reduction of $364 million in procurement to reactivate USS *Oriskany* (CV-34) aircraft carrier.

Addition of Funds for Reactivation of USS New Jersey

Addition of $79 million to fund fully reactivation of USS *New Jersey* (BB-62) battleship.

Addition of Funds for FFG-7 Class Frigates

Addition of $700 million to procure three additional FFG-7 class frigates.

Addition of Funds for LSD-41 Class Dock Landing Ships

Addition of $301 million to procure one LSD-41 in fiscal year 1982 and the addition of $73.3 million in advance procurement to support construction of two LSD-41's in fiscal year 1983.

Deletion of Funding for a Hospital Ship (T-AH) Conversion

Deletion of $10 million requested for advance procurement to convert the SS *United States* to a hospital ship.

Addition of Funds for Fighting Vehicle System

Addition of $50.0 million to evaluate a second source producer for the Infantry Fighting Vehicle.

Addition of Funds for Army National Guard

Addition of $50 million for Army National Guard equipment procurement.

Addition of Funds for Procurement Relating to Strategic Command, Control and Communications

Addition of $20.3 million in support of procurement initiatives relating to strategic command, control and communications.

RESEARCH AND DEVELOPMENT CHANGES

Addition of R. & D. Funds for Materials Technology

Addition of $2 million for development of Navy materials technology.

Addition of R. & D. Funds for Strategic Technology

Addition of $2 million for research on carbon-carbon materials by the Defense Advanced Research Project Agency.

Reduction of R. & D. Funds for Experimental Evaluation

Reduction of $8 million in DARPA program for experimental evaluation of major innovative technology.

Reduction of R. & D. Funds for Strategic Technology

Reduction of $10 million in DARPA strategic technology programs.

Reduction of R. & D. Funds in Materials Processing Technology

Reduction of $3 million for DARPA materials processing technology.

Addition of R. & D. Funds for Blue-Green Laser

Addition of $20 million of DARPA blue-green laser initiatives in strategic technology.

Addition of R. & D. Funds for Advanced Non-Nuclear Engine Designs

Addition of $5 million to support hardware demonstrations of advanced non-nuclear ship propulsion designs.

Addition of R. & D. Funds for Strategic Command, Control and Communications Research and Development

Addition of $82.45 million for research and development initiatives relating to strategic command, control and communications systems.

Reduction of R. & D. Funds for Advanced Warning Systems

Reduction of $2.4 million for advanced warning systems.

Reduction of R. & D. Funds for Testing of B-52 Aircraft

Reduction of $16.6 million for EMP testing of B-52 intercontinental bombers.

Addition of R. & D. Funds for V/STOL Aircraft Research

Addition of $10 million to continue component testing of the AV-8B+ concept.

Addition of R. & D. Funds for F-18

Addition of $51.5 million for F-18 research and development.

Reduction of R. & D. Funds for F-15 Air-to-Ground Enhancements

Reduction of $27.3 million for F-15 air-to-ground enhancements. Retains $5 million.

Reduction of R. & D. Funds for C-X Aircraft

Reduction of $244.7 million for full-scale development of C-X airlift aircraft. Retains $1.0 million.

Deletion of R. & D. Funds for Navy Infra-Red Maverick Program

Deletion of $19.7 million requested for Navy development of IR Maverick. Navy peculiar requirements are to be developed under Air Force IR Maverick program.

Addition of R. & D. Funds for Air Force IR Maverick

Addition of $17 million to Air Force IR Maverick program for development of Navy peculiar requirements.

Reduction of R. & D. Funds for Navy Medium Range Air-to-Surface Missile (MRASM)

Reduction of $19.1 million for the Navy's MRASM program.

Addition of R. & D. Funds for I²R HARPOON

Addition of $38 million for development of an I²R seeker for the Harpoon missile.

Restoration of R. & D. Funds for Weaponizing (Prototype)

Restoration of $2.044 million for Weaponizing (Prototype).

Reduction of R. & D. Funds for Ship Development (Engineering)

Reduction of $22.8 million in ship contract design R. & D. for ships that have been deleted by the committee or are undefined.

Reduction of R. & D. Funds for Advanced Submarine Development

Reduction of $13.771 million for future and follow-on attack submarine development.

Addition of R. & D. Funds for Diesel-Electric Submarine Research

Addition of $5 million for research into conventional submarine design and basic propulsion component technology.

Addition of R. & D. Funds for Light Carrier Designs

Addition of $23 million to continue design and component work on a new class aircraft carrier.

Reduction of R. & D. Funds for FFX Advanced Frigate Design

Reduction of all but $1 million requested for design of FFX class advanced frigate.

Addition of R. & D. Funds for LHDX (VSS) Amphibious Assault Ship Design

Addition of $4.0 million for preliminary design of a new amphibious assault ship, LHDX (VSS), incorporating enhanced V/STOL support capabilities.

Addition of R. & D. Funds for Anti-Submarine Warfare (ARAPAHO)

Addition of $3 million for continued research on the ARAPAHO concept of containerized ASW support for merchant ships.

Addition of R. & D. Funds for Ship Systems Engineering (SEAMOD)

Addition of $8 million for continued research into the integration of modular system concepts into Navy ships.

Addition of R. & D. Funds for Battle Group Anti-Air Warfare Coordination (BGAAWC)

Addition of $10.6 million to continue research in Battle Group AAW Coordination.

Addition of R. & D. Funds for High Horsepower Engine

Addition of $9.46 million for Marine Corps development of high horsepower engines for advanced combat vehicles.

Reduction in R. & D. Funding of the Army's Mobile Protected Gun (Far-term)

Reduction of $17.8 million in the Army's Mobile Protected Gun (Far-term) R. & D. program.

Reduction of Navy R. & D. Funds (Undistributed)

Undistributed reduction of $19 million in overall Navy R. & D. programs.

Addition of R. & D. Funds for Full Medical Support for Amphibious Assaults

Addition of $1.0 million to study alternative programs to provide full medical support for amphibious assaults.

Reduction of Navy Defense-wide Mission Support R. & D. Funds (Undistributed)

Undistributed reduction of $23 million in Navy Defense-wide mission support R. & D. programs.

Reduction in R. & D. Funds for F-106 Interceptor Simulators

Reduction of $9.6 million for F-106 simulator development.

Reduction of R. & D. Funds for Utah Test Range

Reduction of $10 million for range facilities expansion.

Reduction of Air Force Defense-wide Mission Support R. & D. Funds (Undistributed)

Undistributed reduction of $23 million in Air Force Defense-wide mission support R. & D. programs.

OPERATION AND MAINTENANCE CHANGES

Addition of O. & M. Funds for Army Real Property Maintenance

Addition of $100 million for Army real property maintenance to reduce the current backlog of maintenance and repair.

Addition of O. & M. Funds for Army Depot Maintenance and Supply Activities

Addition of $143 million for Army maintenance, industrial preparedness, and transportation activities.

Addition of O. & M. Funds for the Army Guard and Reserve

Addition of $40 million for procurement of organizational clothing and equipment.

Reduction of O. & M. Funds for the USS Oriskany

Reduction of $8 million associated with reactivation of the *Oriskany* air wing.

Addition of O. & M. Funds for the Marine Corps

Addition of $24.7 million for real property maintenance, medical and dental supplies, and a repair program for tracked vehicles.

Additional O. & M. Funds for the Air Force

Addition of $25.08 million for additional civilians and in support of strategic command, control, and communications initiatives.

Reduction of O. & M. Funds for Defense Agencies

Reduction of $19.8 million for civilian support and efficiencies.

Denial of the Request for Repeal of the Annual O. & M. Report Requirement

The committee denied DoD's request that the requirement for an annual O. & M. report be repealed.

Flexibility to the Appropriations Committee

The committee authorized the Appropriations Committee to make other O. & M. appropriations, above the amount authorized in this bill, as necessary to meet unbudgeted inflation and fuel cost increases.

ACTIVE DUTY MILITARY MANPOWER CHANGES

Army

Decrease of 500 in various management and operational headquarters below the requested end strength of 786,300.

Navy

Decrease of 400 in various management and operational headquarters below the requested end strength of 544,700.

Marine Corps

Approval of the requested end strength of 192,100.

Air Force

Decrease of 4,400 from the requested end strength of 586,800, including 3,400 military personnel positions which are to be converted to civilian positions, 700 in the medical support area, and 300 in training associated with the requested increase in medical support.

Restriction on the Number of Recruits Without High School Diplomas

Approval of an amendment that renews for fiscal year 1982 the requirement that at least 65 percent of new Army male recruits be high school graduates.

SELECTED RESERVE MILITARY MANPOWER CHANGES

Reserve Component Strengths

Approval of the requested levels for Selected Reserve manpower of all the Reserve components.

Full-Time Reserve Manpower

Approval for all service components of the requested levels of full-time active duty Reserves who support the Reserve forces.

CIVILIAN MANPOWER CHANGES

Army

Decrease of 500 in various management and operational headquarters from the requested end strength of 381,700.

Navy/Marine Corps

Decrease of 400 in various Navy management and operational headquarters from the requested end strength of 313,000.

Air Force

Net addition of 1,600 to the requested end strength of 247,000, including an increase of 2,200 for civilian functions formerly performed by military personnel, a decrease of 300 from the Foreign Military Sales program, and a decrease of 300 from commissary positions.

Defense Agencies

Decrease of 1,400 from the requested end strength of 82,800, including a reduction of 1,000 for overhead in the Office of the Secretary of Defense and a decrease of 400 in various management and operational headquarters.

Contracting Out Proposals

Approval of an amendment that exempts contracting out proposals involving functions of less than 50 Defense Department personnel from several reporting requirements.

MILITARY TRAINING STUDENT LOAD CHANGES

Training Load Levels

Approval of the requested training loads, except for an increase of 647 for the Air National Guard and an amendment to provide a separate authorized training load to be used solely for Army One Station Unit Training.

ATTACK RELATED CIVIL DEFENSE CHANGE

Authorizes $126.842 million for attack-related civil defense program, a reduction of $6 million.

GENERAL PROVISION CHANGES

Restriction of Funds for Long-Range Combat Aircraft

Restricts the use of funds for the full-scale engineering development or procurement of a long-range combat aircraft until the President submits a written report to the Congress containing his decision on a specific program for the development or procurement of a long-range combat aircraft and the Secretary of Defense submits a written report justifying the President's decision.

Report on Allied Contributions to the Common Defense

Requires a report by the Secretary of Defense on the extent to which non-U.S. NATO nations and Japan have assumed fair and equitable shares of the mutual defense burdens.

Authorization of Other Procurement and Ammunition

Requires authorization of Other Procurement and Ammunition accounts beginning in fiscal year 1983.

Increase in the Contract Cancellation Ceiling of Multiyear Procurement Contracts

Increases the contract cancellation ceiling imposed on multiyear contracts by section 810 of the Department of Defense Appropriations Authorization Act of 1976 by increasing the current $5 million ceiling to $50 million; and invites the Secretary of Defense to submit a report identifying specific programs which, in his judgment, are suitable candidates for multiyear contracts and which may require an exemption from the restrictions of section 810.

Prohibition on Use of Funds to Relieve Economic Dislocations

Prohibits the Department of Defense from using funds for the procurement of goods and services for the purpose of relieving economic dislocations.

Procurement of Automatic Data Processing Equipment

Requires that Department of Defense procurement regulations alone shall govern the acquisition of automatic data processing equipment and services used for specified, critical national security missions.

Requirements Relating to the Award of Sole-Source Contracts

Requires the Department of Defense to give a 30 day public notice prior to awarding certain sole-source contracts and also requires that the Secretary of Defense submit an annual report to Congress setting forth various statistics relating to awards of sole-source contracts.

Cost-of-living Adjustment of Military Retirement Pay

Approval of an amendment to provide a once-a-year cost-of-living adjustment in military retirement pay contingent upon a similar change in current law for Federal civil service retirement pay.

Civilian Personnel Management

Prohibits application of work-year ceiling by Department of Defense and requires that the Department of Defense submit a report by 15 December 1981 analyzing the potential impact of such controls on industrially funded, and other Department of Defense activities.

Liability of the United States in Tort for Certain Actions of Members of the National Guard

Imposes liability on the United States in tort for certain actions of members of the National Guard while such members are performing within the scope of their official duties.

Established by Law the Position of Director of the Defense Security Assistance Agency

Requires that the Director of the Defense Security Assistance Agency be appointed by and with the advice and consent of the Senate.

Requirement for Annual Report on National Guard and Reserve Component and Equipment

Requires the Secretary of Defense to submit an annual report to Congress concerning the equipment of the National Guard and the Reserve components of the Armed Forces.

Military Cooperation with Civilian Law Enforcement Officials

Authorizes the Secretary of Defense, at his discretion, to permit military personnel to provide indirect assistance to Federal, State and local civilian law enforcement officials when such assistance does not adversely affect military preparedness and is conducted in the normal course of military operations and training.

Amendments to the Military Selective Service Act

Permits the Director of the Selective Service System to have access to certain personal information about individuals in order to provide better enforcement of the registration requirement of the Military Selective Service Act.

Senior-Grade Civilians

Deferral of the scheduled 6 percent reduction in senior-grade civilians until the end of fiscal year 1982 with specific management directives.

Flag and General Officers

Denial of the requested repeal of the reduction in the number of flag and general officers.

Assistance to Yorktown Bicentennial Celebration

Authorizes the Secretary of Defense to provide certain assistance in connection with the observance on October 19, 1981 of the 200th anniversary of the surrender of Lord Cornwallis to General George Washington at Yorktown, Virginia.

LEGISLATIVE HISTORY

House Reports: No. 97-71 (Part 1, Committee on Armed Services; Part 2, Committee on Judiciary; Part 3, Committee on Government Operations) and No. 97-311 (Committee of Conference).
Senate Report: No. 97-58 (Committee on Armed Services).
Congressional Record, Vol. 127 (1981):
  May 12-14, considered and passed Senate.
  July 8-10, 14-16, considered and passed House.
  Nov. 5, Senate agreed to conference report.
  Nov. 17, House agreed to conference report.

To authorize appropriations for fiscal year 1983 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize supplemental appropriations for fiscal year 1982, to provide additional authorizations for fiscal year 1982, and for other purposes

(Public Law 97-252, 97th Congress, S. 2248, September 8, 1982)

TITLE I—PROCUREMENT

Amounts requested and authorization enacted for the various services for fiscal year 1983 are shown in the following table:

[In thousands of dollars]

Item	February fiscal year 1983 request	Authorization	Change from request
Procurement:			
Army:			
Aircraft	2,745,900	2,541,600	−204,300
Missiles	2,846,600	2,846,600	
Weapons and tracked combat vehicles	5,030,700	4,707,600	−323,100
Ammunition	2,639,000	2,486,400	−152,600
Other procurement	4,567,500	4,391,100	−176,400
Army National Guard equipment	0	50,000	+50,000

Item	February fiscal year 1983 request	Authorization	Change from request
Army Reserve equipment	0	30,000	+30,000
Total, Army procurement	17,829,700	17,053,300	−776,400
Navy:			
Aircraft	11,582,300	11,304,600	−277,700
Weapons procurement	3,901,600	3,840,900	−60,700
Shipbuilding and conversion	18,648,300	17,965,000	−683,300
Other procurement	3,970,200	3,936,500	−33,700
Procurement, Marine Corps	2,300,700	2,131,600	−169,100
Navy Reserve equipment	0	30,000	+30,000
Marine Corps Reserve equipment	0	30,000	+30,000
Total, Navy procurement	40,403,100	39,238,600	−1,164,500
Air Force:			
Aircraft	17,756,700	17,485,700	−271,000
Missiles	6,827,900	6,038,700	−789,200
Other procurement	5,845,200	5,656,700	−188,500
Air Force Reserve equipment	0	30,000	+30,000
Air Force National Guard equipment	0	30,000	+30,000
Total, Air Force procurement	30,429,800	29,241,100	−1,188,700
Defense agencies procurement	890,300	859,600	−30,700
Total, procurement	89,552,900	86,392,600	−3,160,300

Statutory language is included pertaining to the following weapon systems:

Navy and Marine Corps procurement.—Identifies specific authorization amounts for a variety of Navy procurement programs as follows:

WEAPONS.

For missile programs, $3,058,600,000.
For the MK-48 torpedo program $134,300,000.
For the MK-46 torpedo program $141,200,000.
For the MK-60 torpedo program $151,400,000.
For the MK-30 mobile target program, $19,400,000.
For the MK-38 mini-mobile target program, $2,300,000.
For the anti-submarine rocket (ASROC) program, $10,100,000.
For the modification of torpedoes, $89,300,000.
For the torpedo support equipment program, $66,900,000.
For the MK-15 close-in weapons system program, $118,700,000.
For the MK-75 76-millimeter gun mount program, $10,700,000.
For the MK-19 gun mount program, $400,000.
For the 25-millimeter gun mount program, $400,000.
For the modification of guns and gun mounts, $19,700,000.
For the guns and gun mounts support equipment program, $17,500,000.

SHIPBUILDING AND CONVERSION.

For the Trident submarine program, $1,786,000,000.
For the CVN nuclear aircraft carrier program, $6,795,300,000.

For the SSN-688 nuclear attack submarine program, $1,443,400,000.

For the battleship reactivation program, $417,400,000.

For the aircraft carrier service life extension program, $699,500,000.

For the CG-47 Aegis cruiser program, $3,134,400,000.

For the LSD-41 landing ship dock program, $417,000,000.

For the LHD-1 air-capable amphibious ship program, $55,000,000.

For the FFG-7 guided missile frigate program, $706,400,000, of which $40,000,000 is available only for an X-band phased array radar.

For the mine countermeasures (MCM) ship program, $371,600,000.

For the T-AO fleet oiler ship program, $320,000,000.

For the ARS salvage ship program, $84,000,000.

For the TAKRX fast logistic ship program, $322,600,000.

For the TAHX hospital ship program, $300,000,000.

For service craft and landing craft, $162,100,000.

For outfitting, post delivery, cost growth, and escalation on prior year programs, $828,100,000.

For ship contract design, $97,200,000.

For the manufacturing technology program, $25,000,000.

OTHER.

(1) the sum of $568,900,000 is available only for the ship support equipment program;

(2) the sum of $1,484,600,000 is available only for the communications and electronics equipment program; and

(3) the sum of $786,200,000 is available only for the ordnance support equipment program.

FFG-7 X-band phased array radar.—Authorizes $706,400,000 for the FFG-7 guided missile frigate program, of which $40,000,000 is available only for an X-band phased array radar.

NATO AWACS.—Authorizes $186,100,000 for the NATO AWACS program, available only for the United States contribution of its share of the cost of this program for fiscal year 1983. In addition, statutory language is included granting certain authority to the Secretary of Defense in connection with the NATO AWACS program.

MX ICBM.—Authorizes $988,000,000 for the Advanced Intercontinental Ballistic Missile (MX) program. Of this amount, $158,000,000 is available only for basing and deployment and may not be obligated until the President completes his review of alternative MX missile system basing modes and notifies the Congress, in writing, of the basing mode in which the MX missile system will be deployed and thirty days of session of Congress have expired after the receipt by Congress of such notice.

Multiyear contracts.—Requires that notification and justification be presented to Congress before multiyear procurement contracts are entered into for any of the equipment listed: (1) F-111 weapon navigation computers; (2) C-2 aircraft; (3) EA-6B aircraft; (4) A-6E aircraft; (5) MULE laser designators; (6) CH-53E helicopters; (7) MLRS rocket systems; (8) ALQ-136 radio jammers.

NORAD radar.—Provides for enhancement of North American Air Defense Command low level radar capabilities, to include acquisition of a tethered aero-stat radar set, in Florida.

Secure Communications.—Authorizes $50,000,000 for procurement of secure telephone communications systems, including equipment and related items.

Special classified program.—Authorizes $132,000,000 for a special classified program.

9-millimeter handgun.—Prohibits obligation or expenditure of funds in connection with the purchase or evaluation of a 9-millimeter handgun.

TITLE II—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Amount requested and authorization enacted for research, development, test and evaluation for fiscal year 1983 are shown in the following table:

R.D.T. & E. SUMMARY

[In thousands of dollars]

	Request	Authorization
Army	4,484,000	3,926,367
Navy [1]	6,235,316	6,129,115
Air Force	11,220,400	10,720,884
Defense agencies	2,320,684	2,271,503
Total, R.D.T. & E. budget authority	24,260,400	23,047,869

[1] Includes $3,016,000 in special foreign currency.

Statutory language was included pertaining to the following weapons systems:

C-17 cargo aircraft.—Authorizes $1,000,000 for the C-17 type cargo transport aircraft

MX basing mode.—Of the funds authorized for basing of the MX missile system, $715,000,000 may not be obligated until the President completes his review of alternative MX missile system basing modes and notifies the Congress, in writing, of the long-term basing mode in which the MX will be deployed, and thirty days of session of Congress have expired after receipt to Congress of such notice.

Limitation on funds for the Navy.—Of the amount authorized for the Navy,

(1) $12,000,000 is available only for the development of a derivative of the Firebolt advanced aerial target;

(2) $15,000,000 is available only for the phased array radar improvement program for the Mark 92 fire control system;

(3) $60,000,000 is available only for the development, test, evaluation, and initial deployment of the 5-inch semi-active laser guided projectile and the Seafire electro-optical fire control system;

(4) $26,500,000 is available only for the Medium-Range Air-to-Surface Missile (MRASM) system;

(5) $138,595,000 is available only for the DDG-X (DDG-51) ship program;

(6) $900,000,000 is available only for Surface Warfare programs;

(7) $5,555,000 is available only for the development of an advanced mine to replace the Captor mine.

DDG-X (DDG-51) ship program.—None of the funds authorized for the DDG-X (DDG-51) ship program until the Secretary of the Navy has submitted a plan for the deployment of the 5-inch semi-active laser guided projectile and Seafire electro-optical fire control system concurrently with the deployment of the DDG-51 lead ship.

LANTIRN and FLIR.—Prohibits obligation or expenditure of funds for development of the Low Altitude Navigation Targeting System for Night (LANTIRN) system until the Secretary of the Air Force submits a written statement certifying that the LANTIRN program has been restructured to provide a competitive demonstration between the current LANTIRN System a modified Navy Forward Looking Infra-Red (FLIR) system.

TITLE III—OPERATION AND MAINTENANCE

Amounts requested and authorization enacted for operation and maintenance for fiscal year 1983 are shown in the following table:

O. & M. SUMMARY

[In millions of dollars]

	Request	Authorized
Army	16,827.6	16,750.1
Navy	22,165.8	21,702.6
Marine Corps	1,481.8	1,472.5
Air Force	17,944.7	17,339.5
Defense agencies	5,755.4	5,693.6
Army Reserve	686.4	704.9
Navy Reserve	653.0	671.7
Marine Corps Reserve	48.4	51.1
Air Force Reserve	766.3	766.3
Army National Guard	1,123.9	1,166.9
Air National Guard	1,761.8	1,779.0
National Board of the Promotion of Rifle Practice	0.9	0.9
Claims, Defense	172.5	172.5
Court of Military Appeals	3.2	3.2

Included in this title are the following statutory provisions:

Section 302.—Provides that not more than $2,756,000,000 may be obligated or expended for ship overhauls.

Section 303.—Restricts funding for long-term lease of vessels for the Navy if the lease includes a substantial termination liability unless certain notification and justification requirements have been followed.

Section 304.—Restricts funding for lease of vessels associated with the T-5 Replacement Tanker program which have a main propulsion system or any other major component not built in the United States. This provision will not apply if contract for lease of a vessel results from a request for proposal circulated before July 1, 1982.

Section 305.—Provides a limitation on studies of contracting-out of certain commercial and industrial type functions.

TITLE IV—ACTIVE FORCES

End strengths requested and authorization enacted for active duty personnel of each component of the Armed Forces for fiscal year 1983 are shown in the following table:

	Request	Authorization
Army	783,800	782,500
Navy	569,200	560,300
Marine Corps	194,600	194,600
Air Force	600,000	592,000
Total	2,147,600	2,130,000

Included in this title are the following statutory provisions:

Section 402.—Authorizes an increase in end strength of active components by not more than one-half of one percent when the Secretary of Defense considers it in the national interest.

Section 403.—Extends current statutes affecting quality control on enlistments into the Army.

Section 404.—Authorizes members of the Armed Forces who were previously authorized to accumulate 90 days of leave during fiscal year 1980 and who lost any leave at the end of fiscal year 1981 to be recredited with such lost leave until the end of fiscal year 1982.

TITLE V—RESERVE FORCES

Average strengths requested and authorization enacted for the Selected Reserve of each Reserve component of the Armed Forces for the fiscal year 1983 are shown in the following table:

	Request	Authorization
Army National Guard	407,400	407,400
Army Reserve	258,700	258,700
Naval Reserve	105,500	105,500
Marine Corps Reserve	38,300	38,300
Air National Guard	101,100	101,100
Air Force Reserve	66,000	66,000
Coast Guard Reserve	10,700	12,000
Total	987,700	989,000

Within the average strengths listed above, the reserve components are also authorized, as of September 30, 1983, the following number of Reservists serving on full-time active duty for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

Army National Guard	14,419
Army Reserve	8,251
Naval Reserve	12,038
Marine Corps Reserve	678
Air National Guard	5,158
Air Force Reserve	479

Included in this title was the following statutory provision:

Section 503.—Permits an increase in the number of personnel authorized in certain grades for personnel on active duty in support of the reserve components.

TITLE VI—CIVILIAN PERSONNEL

The Congress authorized an end strength of civilian personnel of 1,050,060 for fiscal year 1983, an increase of 14,560 above the request of 1,035,500. The Secretary of Defense will apportion the authorized civilian personnel among the Departments of the Army, Navy, Air Force, and agencies of the Department of Defense, and report to the Congress on the allocation among the military departments and defense agencies.

The Secretary of Defense was given the authority to exceed the annual congressional authorization by 2 percent of the total authorized when he determines such action is necessary and is in the national interest.

Included in this title is the following statutory provision.

Section 601.—Permits the Department of Defense to account for overseas dependent employees on a pro rata basis if they are part-time personnel, as is the case within the United States.

TITLE VII—MILITARY TRAINING STUDENT LOADS

The requested and enacted average military training student loads of the Armed Forces for fiscal year 1983 are shown in the following table:

	Request	Authorization
Active Forces:		
Army	78,311	78,311
Navy	66,930	66,930
Marine Corps	20,435	20,435
Air Force	48,769	48,769
Subtotal	214,445	214,445
Reserve components:		
Army National Guard	18,052	18,052
Army Reserve	14,579	14,579
Naval Reserve	1,000	1,000
Marine Corps Reserve	2,971	2,971
Air National Guard	2,328	2,328
Air Force Reserve	1,351	1,351
Subtotal	40,281	40,281
Total	254,726	254,726

For fiscal year 1983, a specific authorization for the student loads for the Army's One Station Unit Training program is not included. Notification is expected, however, if training loads for this program drop below certain levels.

Included in this title is the following statutory provision:

Section 602.—Permits maintenance of junior Reserve Officers' Training Corps at a level of 10 percent of the number of students enrolled in an institution or 100, whichever is less.

TITLE VIII—CIVIL DEFENSE

The Congress authorized $152,340,000 for the purpose of carrying out the provisions of the Federal Civil Defense Act of 1950. This is a reduction of $100,000,000 from the Administration's request. Included in this title is the following statutory provision:

Section 802.—Increases the appropriations ceiling for emergency management assistance contribution that may be provided to the states for personnel and administration expenses associated with civil defense during fiscal year 1983 to $60 million from $47 million.

TITLE IX—SUPPLEMENTAL AUTHORIZATIONS FOR FISCAL YEAR 1982

The Congress provided supplemental authorization for fiscal year 1982 as shown in the table below:

FISCAL YEAR 1982 SUPPLEMENTAL AUTHORIZATION

[In millions of dollars]

	Request	Authorization
Naval vessels	263.4	0
Air Force aircraft	219.1	120.0
Army tracked vehicles	126.0	0
RDT&E, Air Force	57.0	0
O. & M., Army, Army Reserve and Army National Guard	365.2	6.6
O. & M., Navy, Naval Reserve and Marine Corps	245.6	5.0
O. & M., Air Force, Air Force Reserve, and Air National Guard	105.3	25.0
O. & M., Defense agencies and defense-wide activities	61.2	25.8

The Congress also authorized an increase in the end strength for the Army, to a total of 782,500, which is a reduction of 1,900 from the Administration's request of 784,400.

TITLE X—FORMER SPOUSE'S PROTECTION

The Congress authorized state courts to consider disposable military retired pay as property in divorce settlements under certain specified conditions. This title effectively reversed the decision of the U.S. Supreme Court in the case of *McCarty* v. *McCarty,* 453 U.S. 210 (1981). That opinion held that a court could not order a division of non-disability retired pay as part of a distribution of community property incident to a divorce proceeding.

Title X also permitted a former military spouse to receive court-awarded payments directly from a military finance center without having to resort to periodic garnishment proceedings. Direct payments can be made out of military retired pay for court-awarded alimony, child support, and division of property. Finally, medical, post exchange, and commissary privileges were extended to former military spouses meeting certain eligibility requirements.

Included in this title are the following statutory provisions:

Section 1001.—Establishes the title as the "Uniformed Services Former Spouses' Protection Act."

Section 1002.—Specifies the conditions that govern the courts' consideration of disposable military retired pay as property in divorce settlements. This section also sets out the procedure that is to be followed by a former spouse and the Military Departments in securing the direct payment of a court-awarded share of retired pay.

Section 1003.—Allows a military retiree to designate a former spouse as beneficiary under the Survivor Benefit Plan.

Section 1004.—Authorizes direct military medical care of CHAMPUS (Civilian Health and Medical Program of the Uniformed Services) coverage for former military spouses satisfying certain eligibility requirements.

Section 1005.—Directs the Secretary of Defense to extend post exchange and commissary privileges to certain former military spouses.

Section 1006.—Specifies the dates on which the previous sections become effective.

SUMMARY OF AMENDMENTS TO FISCAL YEAR 1983 MILITARY AUTHORIZATION BILL ACTED UPON DURING SENATE FLOOR DEBATE AND CONFERENCE ACTION

Amendment number and Senator	Subject	Vote	Conference action
902/1397, Specter-Dixon	Summit meeting on reducing risk of nuclear war.	Passed, 92–6, May 12, 1982, as modified by 903/1398, Tower and 920/1937, Tower.	Rejected.
904, Jackson-Nunn	Military personnel claims resulting from Iranian crisis.	Passed, voice vote, May 5, 1982.	Adopted, modified form.
907, Goldwater	Modification to classified programs and technical amendments.	do	Adopted.
906/1400, Quayle	Defense Dependents' Education System.	Passed, 59–38, May 6, 1982.	Do.
910, Mitchell	Contracting out of firefighting or security functions (no funds).	Passed, 50–47, May 6, 1982.	Adopted, modified form.
911/1442, Moynihan, as modified by 912, R. Byrd.	On Budget Committee action re. Social Security benefit cuts.	Tabled, 51–44, May 11, 1982.	
916, Dole, as modified by 917, Baker-Kasten.	Social Security benefits	Passed, 91–7, May 12, 1982.	Rejected.
918, Baucus/919, R. Byrd	Substitute amendment to No. 916/No. 917.	Tabled, 53–45, May 12, 1982.	
921, Mitchell	Contracting out of firefighting or security functions.	Passed, voice vote, May 12, 1982.	Adopted, modified form.
1441, Mattingly-Hayakawa	Denial of educational benefits to persons failing to comply Selective Service Registration.	do	Do.
922, Pryor	Establishing DoD Office of Inspector General.	Passed, 94–0, May 12, 1982.	Do.
926, Roth	Substitute amendment to Pryor No. 922.	do	Do.
925, Bentsen	Amendment to Roth No. 926	Tabled, voice vote, May 12, 1982.	
928, Proxmire-Thurmond	Active duty for training of Reservists.	Passed, voice vote, May 12, 1982.	Adopted, modified form.
929, Proxmire-Thurmond	Survivor Benefit Plan open season for Reservists.	do	Do.
930, Proxmire-Thurmond	Extension of certain educational loan repayments to certain Reserve commissioned officers.	do	Rejected.
931, Levin-Quayle	Ailled defense contributions	do	Adopted, modified form.
927, Dole	Titan III missile retirement	Rejected, 40–54, May 12, 1982.	

SUMMARY OF AMENDMENTS TO FISCAL YEAR 1983 MILITARY AUTHORIZATION BILL ACTED UPON DURING SENATE FLOOR DEBATE AND CONFERENCE ACTION—Continued

Amendment number and Senator	Subject	Vote	Conference action
932, Roth	NATO defense commitments	Passed, 87–1, May 13, 1982	Adopted, modified form.
933, Garn	Guard/Reserve public recognition and civilian employer support.	Passed, voice vote, May 13, 1982.	Adopted.
934, Hart	Maneuver warfare support	do	Rejected.
1448, Jackson	C–5 and 747 airlift aircraft	do	Adopted, modified form.
935, Gorton	Substitute amendment to Jackson No. 1448.	do	Do.
938, Wallop	On-orbit laser weapons system	do	Rejected.
1399, Gorton	Teaching of military history	do	Do.
943, Moynihan-D'Amato	Maybank	Passed, 48–45, May 13, 1982.	Do.
944, Stafford	Deleting provision relating to Section 6 schools.	Passed, voice vote, May 13, 1982.	Adopted.
945, Heinz	Ship construction in foreign shipyards.	do	Adopted, modified form.
947, Proxmire	Presidential action re chemical weapons.	do	Rejected.
951, Hatfield	Presidential certification on binary chemical weapons.	Passed, 92–0, modified form, 1982.	Do.
954, Nunn	DOD study of VISTA 1999 study	Passed, voice vote, May 13, 1982.	Adopted.
955, Nunn	DOD study of containment and control of nuclear weapons.	do	Adopted, modified form.
956, Levin	Oversight of acquisition costs of major weapons systems.	do	Rejected.
958, Warner	DOD study of unit cohesion initiatives.	do	Do.
959, Warner	Memorial to servicemen who died in Iranian hostage rescue.	do	Do.
960, Warner	Ballistic Missile Defense Systems technology.	do	Do.
961, Cochran	Chemical weapons negotiations	do	Adopted, modified form.
962, Tower	Substitute amendment to Cochran No. 961.	do	Do.
937, Mattingly	Substitute amendment to Nunn No. 936.	Tabled, 53–44, May 13, 1982.	
939, Hart	Deleting one nuclear aircraft carrier.	Tabled, 63–32, May 13, 1982.	
940, Hart	Deleting one nuclear aircraft carrier and adding two light carriers.	Tabled, 72–19, May 13, 1982.	
941, Glenn	New ICBM in lieu of MX system	Tabled, 65–29, May 13, 1982.	
942, Moynihan	Maybank	Rejected, 45–49, May 13, 1982.	
948, Heinz	Chemical warfare protective clothing and specialty metals.	Tabled, 58–36, May 13, 1982.	
949, R. Byrd-Heinz	Chemical warfare protective clothing and specialty metals.	Tabled, 56–39, May 13, 1982.	
950, Hart	Binary chemical munitions	Tabled, 49–45, May 13, 1982.	
904, Jackson-Nunn	Iranian crisis personnel claims	Technical readoption, May 13, 1982.	Adopted, modified form.

COMMITTEE RECOMMENDATIONS ON S. 2248, THE FISCAL YEAR 1983 DEFENSE AUTHORIZATION BILL

The committee recommendation on the funding and manpower portions of the bill are presented in the following table:

SUMMARY OF FUNDS AND MANPOWER AUTHORIZED IN COMMITTEE BILL

[Dollar amounts in millions; years are fiscal years; totals may not add due to rounding]

	1982 authorization [1]	1982 supplemental request [1]	1983 request	Change from request	Committee recommendation
Procurement	[2] $48,001	$608	$89,547	−$2,269	$87,278
Research, development, test, and evaluation	[3] 20,405	57	[4] 24,260	−454	[4] 23,806
Operation and maintenance	62,162	786	69,392	−335	69,057
Civil defense	129		252	−108	144
Total funds authorized	130,697	1,451	183,452	−3,166	180,286
Manpower (in thousands):					
Active duty	2,108	4	2,148	−11	2,137
Selected Reserve	927		988		988
Civilian	1,025		1,036	−11	1,024
Total manpower authorized	4,060	4	4,171	−22	4,149

[1] Does not reflect fiscal year 1982 supplemental authorization request for procurement, research, development, test, and evaluation, and operation and maintenance in the amount of $1,451,800,000 and for manpower totaling 4,100; refer to title IX for summary of committee action on supplemental request.

[2] Does not reflect funds appropriated in fiscal year 1982 for ammunition and other procurement for which authorization was not required prior to fiscal year 1983.

[3] Includes $3,083,000 in special foreign currency.

[4] Includes $3,800,000 in special foreign currency.

HIGHLIGHTS OF COMMITTEE ACTION

Major funding changes

The committee recommended that a total of $180,286 million be authorized for procurement, research and development, operation and maintenance, and civil defense for fiscal year 1983. This represents a decrease of $3,166 million from the request, as shown in the following table:

[Dollar amounts in thousands; years are fiscal years]

	1982 revised current program [1]	1983 request	Committee	
			Change from request	Recommendation
Procurement:				
Army:				
Aircraft	$1,936,100	$2,745,914	−$959,000	$1,786,914
Missiles	2,155,200	2,846,600		2,846,600
Weapons and tracked combat vehicles	3,876,300	5,030,685	−14,400	5,016,285
Ammunition	(2)	2,633,384	+100,000	2,733,384
Other procurement	(2)	4,567,491	−2,500	4,564,991
Army National Guard equipment	50,000	0	+50,000	50,000
Army Reserve equipment	0	0	+30,000	30,000
Total, Army procurement	8,017,600	17,824,074	−795,900	17,028,174
Navy:				
Aircraft	9,140,000	11,582,300	+35,500	11,617,800
Weapons	3,215,100	3,901,600	−400	3,901,200

	1982 revised current program [1]	1983 request	Committee	
			Change from request	Recommendation
Shipbuilding and conversion	8,638,900	18,648,300		18,648,300
Other procurement	(2)	3,970,156	−1,000	3,969,156
Navy Reserve equipment	0	0	+30,000	30,000
Total, Navy procurement	20,994,000	38,102,356	+64,100	38,166,456
Marine Corps:				
Ammunition	(2)	630,200	−100,000	530,200
Weapons and tracked combat vehicles	637,924	749,900	−2,000	747,900
Other procurement	(2)	920,600		920,600
Marine Corps Reserve equipment	0	0	+30,000	30,000
Total, Marine Corps procurement	637,924	2,300,700	−72,000	2,228,700
Air Force:				
Aircraft	13,802,798	17,756,700	+36,200	17,792,900
Missiles	4,573,950	6,827,900	−1,457,100	5,370,800
Other procurement	(2)	5,845,200	−92,100	5,753,100
Air Force Reserve equipment	0	0	+30,000	30,000
Air National Guard equipment	0	0	+30,000	30,000
Total, Air Force procurement	18,376,784	30,429,800	−1,453,000	28,976,800
Defense agencies procurement	(2)	890,284	−12,100	878,184
Total, procurement	48,026,272	89,547,214	−2,268,900	87,278,314
Research, development, test, and evaluation:				
Army	3,609,535	4,484,000	−28,659	4,455,341
Navy (including Marine Corps)	[3] 5,810,214	[4] 6,235,316	+67,582	[4] 6,302,898
Air Force	8,819,310	11,220,400	−474,857	10,745,543
Defense agencies	1,697,646	[5] 2,260,684	−18,500	[5] 2,242,184
Director, test and evaluation	53,000	60,000		60,000
Total, R.D.T.&E	19,989,705	24,260,400	−454,434	23,805,966
Operation and maintenance:				
Army	16,695,142	18,638,775	+135,500	18,74,275
Navy (including Marine Corps)	21,149,468	24,349,015	−57,500	24,291,515
Air Force	18,336,191	20,472,800	−378,500	20,094,300
Defensewide activities	5,156,354	5,931,110	−34,200	5,896,910
Total, O.&M	61,337,155	69,391,700	−334,700	69,057,000
Total, R.D.T.&E and O.&M	129,353,132	183,199,314	−3,058,034	180,141,280
Civil defense	129,000	252,340	−107,810	144,530
Grand total, authorization bill	129,482,132	183,451,654	−3,165,844	180,285,810

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[1] Does not reflect supplemental authorization requested for fiscal year 1982 in the amount of $1,451,800,000; refer to title IX for summary of committee action on supplemental request.

[2] Prior to fiscal year 1983 authorization was not required for ammunition and other procurement.

[3] Includes $3,083,000 in special foreign currency.

[4] Includes $3,016,000 in special foreign currency.

[5] Includes $784,000 in special foreign currency.

Major manpower changes

The table below shows the changes from the requested strengths for each active, reserve, and civilian component recommended by the committee:

ACTIVE DUTY MANPOWER, FISCAL YEAR 1983

[End strengths in thousands]

	Fiscal year 1983 request	Recommendation	Change from request
Army	783.8	783.8	0
Navy	569.2	564.2	−5.0
Marine Corps	194.6	194.6	0
Air Force	600.0	594.5	−5.5
Total	2,147.6	2,137.1	−10.5

SELECTED RESERVE PERSONNEL, FISCAL YEAR 1983

[Average strengths in thousands]

	Fiscal year 1983 request	Recommendation	Change from request
Army National Guard	407.4	407.4	0
Army Reserve	258.7	258.7	0
Naval Reserve	105.5	105.5	0
Marine Corps Reserve	38.3	38.3	0
Air National Gaurd	101.1	101.1	0
Air Force Reserve	66.0	66.0	0
Coast Guard Reserve	10.7	10.7	0
Total	987.7	987.7	0

CIVILIAN PERSONNEL, FISCAL YEAR 1983

[End strengths in thousands]

	Fiscal year 1983 request	Recommendation	Change from request
Army	386.4	378.0	−8.4
Navy/Marine Corps	320.6	320.6	0
Air Force	242.8	242.8	0
Defense Agencies	85.6	83.0	−2.6
Total	1,035.5	1,024.4	−11.0

Note: Total may not add due to rounding.

MAJOR CHANGES BY COMMITTEE TO FISCAL YEAR 1983 REQUESTS

Senate Report 97-330 accompanying the authorization bill discusses in detail the various changes recommended by the committee on all aspects of the bill. The following is a list of the more significant changes recommended by the committee.

PROCUREMENT CHANGES

Deferral of Production of AH-64 Helicopter

Reduction of $803.8 million for procurement of 48 AH-64 attack helicopters and deferral of production for one year.

Deletion of 8 A-6E Aircraft

Reduction of $242.7 million for the procurement of 8 A-6E medium attack aircraft.

Addition of 6 EA-6B Aircraft

Addition of $204.5 million for the procurement of 6 additional EA-6B electronic countermeasures aircraft.

Addition of Long Lead Funds for F/A-18 Aircraft

Addition of $35.5 million for the procurement of 12 additional F/A-18 fighter aircraft in fiscal year 1984.

Deletion of 20 A-10 Aircraft

Deletion of $324.3 million for the procurement of 20 A-10 attack aircraft.

Addition of 6 F-15 Aircraft

Addition of $108.4 million for the procurement of 6 additional F-15 fighter aircraft.

Addition of Long Lead Funds for F-16 Aircraft

Addition of $167.3 million for the procurement of 60 additional F-16 fighter aircraft in fiscal years 1984 and 1985.

Reduction in Funds for IIR Maverick

Reduction of $97.7 million for the procurement of IIR Maverick missiles.

Deletion of Funds for European Distribution System Aircraft (EDSA)

Deletion of $5 million for 2 European Distribution System Aircraft (EDSA) for the Air Force.

Addition of Funds for KC-10A Aircraft

Addition of $4.9 million for procurement of KC-10A's for the Air Force.

Reduction of Funds for KC-10A Initial Spares

Reduction of $11 million for KC-10A initial spares for the Air Force.

Addition of Funds to Reengine 28 KC-135 Aircraft

Addition of $115 million to reengine 28 KC-135 aircraft with JT-3D engines.

Addition of Funds for Titan Missiles

Addition of $73.8 million to retain the 52 Titan missiles.

Deletion of Funds for MX Missiles

Deletion of $1,497.1 million requested to procure 9 MX missiles and initial spares.

Reduction in Funds for the Defense Satellite Communications System

Reduction of $25 million for procurement of the Defense Satellite Communications System.

RESEARCH AND DEVELOPMENT CHANGES

Deletion of R. & D. Funds for Battlefield Data Systems

Deletion of $29.8 million for development of battlefield data systems.

Addition of R. & D. Funds for F/A-18 FLIR

Addition of $22 million to modify F/A-18 FLIR to compete for production with Air Force LANTIRN system.

Addition of R. & D. Funds for AV-8B Trainer

Addition of $22 million to initiate development of two-seat TAV-8B trainer.

Addition of R. & D. Funds for AV-8B+

Addition of $15 million to continue evaluation of potential applications of fighter radar in the AV-8B.

Reduction of R. & D. Funds for Ship Concept Formulation

Reduction of $3 million for Ship Concept Formulation (formerly titled Advanced Ship Design).

Addition of R. & D. Funds for Ships Systems Engineering Standards (SSES)

Addition of $13 million for continued research into the integration of modular system concepts into Navy ships.

Addition of R. & D. Funds for Anti-Submarine Warfare (ARAPAHO)

Addition of $4 million for continued research on the ARAPAHO concept of containerized ASW support for merchant ships.

Addition of R. & D. Funds for Materials Technology

Addition of $8 million for Materials Technology for the Navy.

Addition of R. & D. Funds for TACAMO C ^{3} Systems

Addition of $3 million for research into more efficient C ^{3} systems for TACAMO aircraft.

Reduction of R. & D. Funds for High Power-to-Weight Ratio Engines

Reduction of $14.810 million for the development of the stratified charge rotary combustion engine in Program Element 64656M.

Reduction of R. & D. Funds for F-15E

Reduction of $12.3 million for the development of a ground attack F-15E.

Reduction of R. & D. Funds for F-16E

Reduction of $10 million for the development of a derivative F-16.

Reduction of R. & D. Funds for SEEK TALK

Reduction of $8 million requested for the development of an anti-jam communications system, SEEK TALK.

Reduction in R. & D. Funds for LANTIRN

Reduction of $15 million for the development of night low-level navigation and targeting system, LANTIRN.

Deletion of R. & D. Funds for Operational Support Airlift

Deletion of $2.557 million for Operational Support Airlift for the Air Force.

Deletion of R. & D. Funds for Interim MX Basing Mode

Deletion of $715 million requested for research and development on MX basing mode.

Addition of R. & D. Funds for Long-Term MX Basing Mode

Addition of $255 million for research on long-term options for MX deployment.

Reduction of R. & D. Funds for Advanced Ballistic Reentry Vehicle

Reduction of $22 million for research on the Advanced Ballistic Rentry Vehicle so that its development will be consistent with the IOC of a survivably-based MX.

Addition of R. & D. Funds for MILSTAR System

Attition of $50 million for research and development to accelerate the IOC of the MILSTAR system.

OPERATION AND MAINTENANCE CHANGES

Reduction of O. & M. Funds Based on Reestimates of Fuel Prices

Reduction of $350 million based on more advantageous fuel price assumptions.

Reduction of O. & M. Funds Based on Strengthened U.S. Dollar

Reduction of $195 million related to foreign currency based on more favorable rates of exchange.

Addition of O. & M. Funds for Real Property Maintenance

Addition of $460 million in real property maintenance funding in fiscal year 1983.

Addition of O. & M. Funds for Navy Aircraft Modification Installation

Addition of $101.3 million for Navy aircraft modification installation.

Authorization of Navy Ship Overhauls

Explicit authorization of $2,518.8 million for ship overhauls, requiring prior approval for any expenditures for ship overhauls above this level.

Addition of O. & M. Funds for B-52D Aircraft

Addition of $20 million to maintain one B-52D squadron in "flyable storage" condition.

Addition of O. & M. Funds for Titan Missiles

Addition of $6.2 million for the continued maintenance of the 52 Titan missiles.

ACTIVE DUTY MILITARY MANPOWER CHANGES

Navy

Decrease of 5,000 from the requested end strength of 569,200. Reductions recommended in transient and training account.

Air Force

Decrease of 5,500 from the requested end strength of 600,000. Reductions recommended in accession, training and support account and in the conversion of active duty military spaces to reserve and civilian positions.

Restriction on the Number of Recruits Without High School Diplomas

Approval of amendment that renews for fiscal year 1983 the requirement that at least 65 percent of new Army male recruits be high school graduates.

Authority to Exceed Active-Duty End Strengths

Approval of authorization to permit the Secretary of Defense to increase the end strength of any active duty component by not more than .5 percent.

Indian Ocean "Save Leave" Provision

Approval of a one year extension of the period in which service members have to utilize the leave "carry over" which they earned during deployments to the Indian Ocean in fiscal year 1980.

CIVILIAN MANPOWER CHANGES

Army

Decrease of 8,400 from the requested end strength of 386,400.

Defense Agencies

Decrease of 2,600 from the requested end strength of 85,600.

ATTACK RELATED CIVIL DEFENSE CHANGES

Reduction of $107.8 million from the requested level of $252.34 million for the attack-related civil defense program.

GENERAL PROVISION CHANGES

Special Defense Acquisition Fund

Establishes the ceiling for Special Defense Acquisition Fund at $900 million for fiscal year 1984.

Reports on Unit Cost of Major Defense Systems

Requires the Service Secretary concerned or, in some instances, the Secretary of Defense to report to Congress within a specified period of time whenever he determines that unit costs have exceeded a certain percentage threshold.

Requirements Relating to the Award of Sole-Source Contracts

Requires the Department of Defense to give a 30 day public notice prior to awarding certain sole-source contracts and also requires that the Secretary of Defense submit an annual report to Congress setting forth various statistics relating to award of sole-source contracts.

Repeal of Prohibition on Purchase of Administrative Use Vehicles From Foreign Sources

Repeals the prohibition on the purchase of administrative motor vehicles manufactured outside the United States or Canada in the absence of competitive bidding.

Purchase of Chemical Warfare Protective Clothing and Items Containing Specialty Metals From Foreign Sources

Permits DOD to purchase from foreign sources items containing specialty metals or chemical warfare protective clothing to offset U.S. sales or to further NATO rationalization, standardization, and interoperability.

Prohibiting the Consolidation of Military Transportation Commands

Prohibits the consolidation of any of the functions currently being performed by the Military Sealift Command, Military Traffic Management Command, and Military Airlift Command and requires a report on the various management and cost issues of any consolidation being contemplated.

Report on Allied Contributions to the Common Defense

Expresses the sense of Congress that the NATO allies and Japan should increase their contribution to the common defense and requires a report on allied contributions to the common defense.

Military Recruiting Information

Clarifies the authority of the Secretary of Defense to collect directory information on high school students solely for the purpose of recruiting. Authorizes the Secretary of Defense to request from State and local governments criminal history information pertaining to applicants for enlistment and related security clearances.

General and Flag Officer Strengths

Denies the request to repeal the current ceiling of 1,073 on the number of flag and general officers.

Authorizes the Navy to increase the percentage of three and four star officers from fifteen percent to seventeen and one-half percent until October 1, 1983. The total number of Navy flag officers will remain at currently authorized levels.

Contracting Out

Exempts Defense Department activities performed entirely by military personnel or by less than 50 DOD civilian employees from reporting and certification requirements. Allows the reporting and certification requirements for other activities to be suspended during war or national emergency.

LEGISLATIVE HISTORY

Senate Report No. 97-330 (Committee on Armed Services).
House Reports: No. 97-482 (Committee on Armed Services), No. 97-749 (Committee of Conference).
Congressional Record, Vol. 128 (1982):
  May 3-6, 11-13, considered and passed Senate, amended.
  July 19-22, 27-29, considered and passed House, amended.
  Aug. 17, Senate agreed to conference report.
  Aug. 18, House agreed to conference report.

LEGISLATION REPORTED AND ENACTED INTO PUBLIC LAW

To amend Titles 10 and 37, United States Code, to increase the pay and allowances and benefits of members of the uniformed services and certain dependents, and for other purposes

(Public Law 97-60, 97th Congress, S. 1181, October 14, 1981)

Purpose of the Act

The purpose of this act is to increase the pay and allowances, entitlements, and benefits of members of the uniformed services, and certain dependents. The act also includes several amendments to enhance the administration of military justice.

Summary of Committee Interest and Activity

(1) *Uniformed Services base pay.*—Committee amendment to S. 1181 provided a new basic pay table offering increases between 7% to 22%, designed to provide larger pay differentials; enhance pay rates for middle and senior enlisted grades; and provide increased retention incentives for mid-career enlisted personnel and officers.

(2) *Pay raise mechanism.*—Committee amendment to S. 1181 deleted the requirement for the Department of Defense to develop a new pay adjustment mechanism and deferred for one year the current mechanism in law. This was done in response to the request of the Department of Defense and its assurances that alternative pay increase mechanisms are currently under study.

(3) *Hazardous duty pay.*—The committee recommended amending section 301 of title 37, U.S.C., to provide hazardous duty pay for those individuals whose daily duties place them in danger from toxic, lethal, or carcinogenic substances. Additionally, the committee recommended that increases in aviation career incentive pay be focused upon those rated officers with more than six years service

to enhance mid-career pilot retention. The committee also recommended that hazardous duty pay for undersea divers be increased from $110 to $300 for enlisted personnel and $200 for officers.

(4) *Enlistment bonuses.*—In view of the fact that some enlistees may not satisfactorily complete a full enlistment, the committee opposed the full lump sum payment of bonuses at the outset of an enlistment. The committee recommended the payment of no more than $4,000 initially, with the remainder to be paid in equal quarterly, or more frequent, installments during the applicable term of service. Additionally, the committee proposed a new enlistment bonus authority for the Army to offer $3,000 to those who enlist in a critical skill for three years, provided they are high school graduates and score in the 50th percentile or above on the Armed Forces Qualifications Test.

(5) *Active service agreements for nuclear qualified officers.*—Although the Congress in 1980 increased the amount of the bonus for nuclear qualified officers from $20,000 to $28,000 for a four year obligation, no provision was made for a transition to the new bonus amounts. Such transition authority is needed so as not to penalize those officers who incurred an obligation prior to January 1, 1981. The committee proposed the authorization of the Secretary of the Navy to permit a nuclear qualified naval officer who is performing service under an agreement executed prior to January 1, 1981, to cancel that agreement and execute a new one for a period of not more than four years.

(6) *Adjustment to travel and transportation entitlements.*—The committee agrees that most expenses incurred by members of the uniformed services as a result of government-directed permanent change-of-station relocations should rightly be borne by the government. With this in mind the committee proposed the following adjustments:

Temporary Lodging Expenses (TLE) authority for per diem rates not to exceed four days and $110 daily total for service member and dependents.

Authorization for advance payment of applicable dependent travel, evacuation, and/or dislocation allowance.

Authorization for temporary storage of household goods in excess of 180 days in the event of temporary duty or deployment in excess of 90 days or an indefinite period.

Authorization of a mileage allowance for transportation of a family vehicle from old permanent duty station to the port of embarkation and from the port of debarkation to the new permanent duty station.

Amendment of section 411b of title 37 to authorize travel and transportation allowances for authorized leave to a home of record between overseas tours.

Authorization for funded transportation for members and command-sponsored dependents for environmental/morale leave, when the Secretary of the service determines that respite from certain areas outside the United States would be in the best interest of the services.

Amendment of section 411d of title 37 to permit funded round trip transportation for service members in the event of emergency leave and the unavailability of government transport.

Establishment of limits upon the travel and transportation allowances granted service members upon separation from active duty.

(7) *Armed Forces health professions scholarship program.*—Committee recommended that members of the program receive an initial uniform allowance of not more than $200, and be authorized to receive not more than one month's advance pay upon reporting for active duty.

(8) *Military justice amendments.*—Committee recommended amendments to chapters 40 and 47 of title 10, U.S.C., to enhance the effectiveness of the administration of military justice. These amendments are supported by the Department of Defense and the United States Court of Military Appeals.

Amend chapter 40 of title 10 to permit the military services to place on involuntary leave a member convicted by court martial and sentenced to an unsuspended punitive discharge or dismissal, pending completion of appellate review of that conviction and sentence.

Amend Article 13 of the Uniform Code of Military Justice to permit all persons who are confined as a result of a court-martial sentence to be subjected to the same conditions of confinement, whether or not their sentences have been ordered executed pending appellate review.

Amend Articles 32(b) and 38(b) of the UCMJ to make clear a member's right to counsel during pre-trial investigation, and to limit a member's choice of counsel to a civilian counsel at the member's expense and a military counsel of the member's choice, or a military counsel designated by the convening authority.

Amendment to authorize, in addition to actual notice, contructive service of the Court of Military Review decision on an accused's appellate defense counsel.

Amend Article 69 of the UCMJ to provide that relief under the article may be granted, in cases tried by special court-martial, in which no punitive discharge is imposed, or by a summary court-martial, and upon written application of the accused or counsel, only if that application is filed by October 1, 1983, or within two years after the sentence was announced.

(9) *Military recruiting information.*—The committee recommended the authorization of the Secretary of Defense to collect high school directory information for confidential use by military recruiters. The information can only be used for recruiting purposes and cannot be maintained for more than three years. The committee additionally recommended the establishment of a new section 520 of title 10, U.S.C., to authorize the service Secretaries to request from State and local governments criminal history information related to individuals who make application for enlistment in the Armed Forces or to individuals who, in connection with an application for enlistment, also apply for participation in certain programs which require a determination of trustworthiness.

(10) *Consolidation of authorized daily average strengths for E-8 and E-9 personnel.*—The committee proposed to combine the au-

thorized daily strength ceiling for personnel on active duty in the grades of E–8 and E–9 at 3 percent of the enlisted members of an armed force, not to exceed 1 percent in pay grade E–9.

(11) *ROTC engineering and scientific scholarships.*—The committee recommended amending title 10, U.S.C., to increase the authorized number of senior ROTC scholarships for the Navy and Air Force to 8,000 and 9,500 respectively.

(12) *Nominations by the Superintendents of the Service Academies.*—The committee recommended that the superintendents of the service academies to be authorized to nominate up to 50 cadets or midshipmen each year in addition ot those nominations made by members of the executive and legislative branches.

(13) *Authority of Secretary of the Navy to issue regulations.*—The committee recommended that title 10, U.S.C., be amended to allow the Secretary of the Navy to issue Navy regulations without the presently required approval of the President.

(14) *Enforcement of the Selective Service System registration.*—The committee recommended that the Selective Service be granted the authority to compare its lists of registrants with the records of Social Security to determine those individuals who are delinquent in their registration, and thereby initiate administrative or judicial action.

Floor Action

During floor debate of S. 1181 and amendment to raise the pay of entry level military personnel by reducing the pay raise of commissioned officers was introduced (Matsunaga). S. 1181 passed, as amended, 81 yeas to 0 nays.

Conference Action

House and Senate conferees met on September 24 and October 1. Among the issues in dispute were:

(1) The Senate bill provided for basic pay raises of from 7 percent to 22 percent, depending upon rank and length of service, and an increase of 14.3 percent in quarters and subsistence allowances. The House amendment provided for a 14.3 percent increase in basic pay, quarters, and subsistence allowances across the board. The conferees agreed to increase basic pay by amounts ranging from 10 percent to 17 percent depending upon pay grade. Quarters and subsistence allowances would be increased by 14.3 percent.

(2) The Senate bill provided three new specific categories for hazardous duty pay: aircraft deck crews serving on other than aircraft carriers, bacteria/virus laboratory workers, and toxic fuel handlers. The House amendment provided service Secretaries authorization to designate hazardous duty assignments. The House receded.

(3) The Senate bill provided for the restructuring of Aviation Career Incentive Pay. The House amendment contained no such provision. The House receded.

(4) The Senate bill provided for restructuring of submarine duty incentive pay. The House amendment contained no such provision. The House receded.

(5) The House amendment provided that an enlisted member could reenlist prior to the expiration of his current enlistment and use the unexpired portion of the current enlistment to determine

the reenlistment bonus for a subsequent reenlistment. The Senate bill contained no such provision. The Senate receded, with an amendment that would permit the enlisted member to reenlist prior to the expiration of an extension and use up to two years of the unexpired extension in the computation of the reenlistment bonus.

Conferees agreed to increase the maximum enlistment bonus to $8,000, with an initial payment limit of $5,000.

Conferees expressed extreme concern that unearned bonus payments to service members who do not complete the enlistment for which the bonus was paid are not being recouped. The Secretary of Defense was directed to implement procedures to recoup a larger portion of these bonuses and to report on these procedures to the House and Senate Armed Services Committees by December 31, 1981.

(6) The Senate bill provided for nuclear qualified officers who had agreed prior to January 1, 1981 to remain on active duty for a period of four years in exchange for a $20,000 bonus, to cancel that agreement in exchange for a new agreement under the higher bonus level that became effective on January 1, 1981. The House amendment contained no such provision. The House receded, with the understanding that an officer who cancels an existing agreement will be required to sign a new agreement to remain in active duty for four years from the date of the new agreement.

(7) The Senate bill contained a provision that would authorize a $3,000 accession bonus for surface nuclear power applicants similar to the accession bonus available to submarine nuclear power applicants. The House amendment contained no such provision. The House receded.

(8) The House amendment contained a provision that would authorize an accession bonus of up to $15,000 for certain scientific and engineering officers. In addition, the provision would authorize a continuation bonus of up to $3,000 per year for scientific and engineering officers in critical specialties. The Senate bill contained no similar provision. The Senate receded on the continuation bonus and the House receded on the accession bonus.

(9) The Senate bill contained a provision that would modify a number of travel and transportation benefits for service members. The House amendment contained no similar provision. The House receded with amendments.

(10) The Senate bill contained a provision that would permit the Superintendent of each service academy to nominate up to 50 applicants for appointment. The House amendment contained no similar provision. The House receded.

(11) The Senate bill contained a provision to authorize the Secretary of the Navy to issue Navy regulations without Presidential approval. The House amendment contained no similar provison. The House receded.

(12) The Senate bill contained a provision that would make a number of changes to the military justice statutes. The House amendment contained no similar provision. House conferees pointed out that this provision presented procedural difficulties in the House, and the conferees agreed to drop this provision without

prejudice. House conferees agreed to consider this matter in separate legislation at the earliest opportunity.

(13) The Senate bill contained a provision that would authorize the Secretary of Defense to collect high school directory information for use by service recruiters. The House amendment contained no such provision. The House conferees pointed out that this provision presented procedural difficulties in the House and the conferees agreed to drop the provision without prejudice.

(14) The Senate bill contained a provision that would distribute the top 3 percent of the enlisted force between the pay grades E-8 and E-9. The House amendment contained no similar provision. The conferees noted that a provision to accomplish this was being addressed with the Defense Authorization Bill for fiscal year 1982. The Senate receded.

LEGISLATIVE HISTORY

House Report No. 97-265 (Committee of Conference).
Senate Report No. 97-146 (Committee on Armed Services).
Congressional Record Vol. 127 (1981):
  September 10, 11, considered and passed Senate, amended.
  September 14, 15, considered and passed House, amended.
  October 7, House agreed to conference report.
  October 7, Senate agreed to conference report.

Military construction: To authorize certain construction at military installations for fiscal year 1983, and for other purposes

(Public Law 97-321, 97th Congress, S. 2586, October 15, 1982)

Purpose of the Act

The purpose of the bill is to provide construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States, in the total amount of $7,030,726,000.

Summary of Committee Interest and Activity

The total authorization granted for new military construction and associated programs for fiscal year 1983 was $7,030,726,000. A summary of the total authority granted is as follows:

[In thousands of dollars]

	Requested	Senate approved	Conference approved
Title I, Army	2,051,593	1,742,758	1,924,544
Title II, Navy	1,909,293	1,614,961	1,811,365
Title III, Air Force	2,867,682	2,247,757	2,397,132
Title IV, Defense agencies	405,396	251,830	282,714
Title V, NATO (infrastructure)	375,000	375,000	375,000
Title VII, Reserves	202,200	202,200	246,011
Total	7,811,164	6,435,506	7,030,726

The committee showed particular interest in the following areas of special emphasis.

(1) *Reductions in budget request.*—In order to accommodate the Senate's establishment of a budget ceiling for the defense function in fiscal year 1983, the committee agreed that approximately $1.4 billion in budget authority and $200 million in associated outlays had to be made. In making these reductions, the committee agreed to four basic premises:

Projects not included in the budget request would not be considered.

Community, morale and welfare, administrative, supply, and laboratory facilities to be deferred without prejudice. Operational, bachelor housing, medical, maintenance, energy, and pollution abatement facilities to be generally approved.

New military family housing and improvements to existing family housing, other than those for energy conservation, to be deferred without prejudice.

To defer without prejudice those projects with insufficient justification or where funds could not be spent in fiscal year 1983.

(2) *Construction in Europe.*—The committee found that the growing construction requirements in Europe cannot continue to be met solely through increases in unilateral U.S. funding. The Defense Department must aggressively seek alternative funding sources with increased allied burden-sharing. The committee endorses the Master Restationing Plan in the Federal Republic of Germany and encourages the Defense Department to press the FRG to fund the entire cost of the program. The committee agreed to authorize certain projects in support of the Master Restationing Plan subject to the successful conclusion of negotiations with the government of the FRG that includes a satisfactory cost-sharing agreement.

(3) *Construction in support of the Rapid Deployment Force.*—The committee supported the earliest possible construction of facilities to enable the Rapid Deployment Force to react quickly to emergencies in Southwest Asia. The committee was satisfied that, with the exception of Lajes Air Force Base, the necessary bilateral agreements are now in force. The committee suggested that the Services execute the construction program with the same intensity that characterized the effort to build two Israeli Air Base in support of the Israel-Egyptian peace accord.

(4) *Long-range security program.*—The committee was distressed to learn that previously authorized construction projects to provide for the increased physical security of chemical and nuclear weapons storage sites were not completed starting July 1, 1982 detailing the status of this program until its completion.

(5) *Small business set-asides for architect-engineers.*—The committee registered concern with the current Defense Department procedures for setting aside architect-engineer contracts for small businesses. Recent DOD regulations require that contracts be awarded to "small businesses" if two or more "small businesses" are competitive. The Small Business Administration defines a "small business" architect-engineer firm as one with annual billings of up to $7.5 million, which qualifies all but the top 200 firms in the U.S. the committee, after hearings, felt that the top 200 firms in the U.S. should not be automatically excluded from gaining DOD contracts and that the definition of "small business" was currently too

broad to be meaningful. The committee requested that DOD review the situation and report its findings by January 1, 1983.

(6) *Commissary construction.*—Since 1975 all commissary construction has been financed by a surcharge paid by military patrons. Heretofore the Services have deposited surcharge monies in a fund until accruing the entire cost of a commissary constuction project. Noting the still significant backlog of commissary construction requirements, the Committee provided a provision which would allow the Services to contract for commissary construction in advance of actual receipt of surcharge funds. The Committee also recommended that the Services consider the possibility of raising the current surcharge to accelerate the commissary construction program.

(7) *World War II construction.*—The committee noted that World War II mobilization facilities built with an expected life of five years are still being maintained in the Services' inventories after 40 years, and some cases the Services intend to spend substantial sums to upgrade them. In view of these structures' operational and energy inefficiency, the committee felt that continued expenditure on the improvement of these facilities was imprudent and called upon each of the Services to develop a plan to rid their inventories of these structures. They requested each Service to:

Set a target date of 1990 for the demolition of such facilities.

Limit further expenditure on such facilities to the minimum.

Select an off-the-shelf, pre-engineered standard steel frame building to replace World War II wooden structures.

Develop a plan and schedule for this demolition and replacement to be reported to the committee by January 1, 1983.

(8) *Army barracks design.*—Having determined that the standard barracks design used since the mid-70's is no longer desirable, the Army has developed a new concept design to be tested in a pilot project at Fort Bragg, North Carolina and Fort Story, Virginia. The Committee approved these projects. The committee deferred, however, the Army's proposal to build barracks at several other locations using the old and unsatisfactory design concept. The committee directed that these projects be redesigned and resubmitted.

(9) *Management of Defense real property.*—To enhance the Defense Department's ability to manage its real property, the Committee provided in Section 804 of this act authority for the Department to sell or exchange Defense lands, if it is in the public interest or serves national defense purposes, without the intercession of the General Services Administration, as is currently required. Such sales must be publicly advertised and competitively bid. Any sale or exchange must at least "break even". Any transaction involving more than $100,000 must be reported to the Committees on Armed Services of both houses.

Floor Debate

During floor debate a number of minor amendments were approved, though they did not impinge upon the committee's "areas of special emphasis".

Conference Action

Only two "areas of special interest" were touched upon in conference.

(1) *Master restationing plan.*—The Senate bill authorized $26.5 million for four Master Restationing Plan military construction projects. The House amendment did not authorize the projects. The House agreed to recede with an amendment that stipulates that any cost sharing agreement between the United States and the Federal Republic of Germany must be submitted to the respective Committees on Armed Services for review and thirty legislative days must expire before any funds may be obligated for any Master Restationing Plan project.

(2) *Management of Defense real property.*—The Senate bill included a provision, Section 804, authorizing the Department to sell or exchange any defense real estate if such a sale was in the public interest. Five percent of the net proceeds realized from such transactions would be used to finance a defense facility replacement fund, and the remainder of the proceeds would be applied to the national debt. Because the issue had not been carefully and fully examined by the House in its consideration of the military construction bill, the House conferees were extremely reluctant to accept the provisions. Both houses agreed that the issue should be considered during hearings and review of the FY84 Military Construction Authorization Act. The Senate reluctantly receded.

LEGISLATIVE HISTORY

House Reports: No. 97-525 (Committee on Armed Services) and No. 97-880 (Committee of Conference).
Senate Report No. 97-440 (Committee on Armed Services).
Congressional Record Vol. 128 (1982):
  June 30, 1982, considered and passed the Senate.
  August 11, 1982, considered and passed the House, amended.
  September 28, 1982, Senate agreed to conference report.
  September 29, 1982, House agreed to conference report.

Military Medical Facilities: To amend title 10, United States Code, to provide additional standards for determining the amount of space to be programmed for military retirees and their dependents in medical facilities of the uniformed services, and for other purposes

(Public Law 97-337, 97th Congress, H.R. 3278, October 15, 1982)

Purpose of the Act

The purpose of this act is twofold. First, the act provides additional criteria that may be used in determining the amount of space to be programmed for military retirees and their dependents in military facilities. Secondly, it states that, subject to the availability of appropriations, there should be a hospital at each of the three military academies.

Summary of Committee Interest and Activity

H.R. 3278 was referred to the committee on September 28, 1982. On October 1, 1982, the committee was discharged from further consideration.

Floor Debate

The Senate passed H.R. 3278 by voice vote.

LEGISLATIVE HISTORY

House Report No. 97-857.
Congressional Record Vol. 128 (1982):
  September 28, 1982, considered and passed the House.
  October 1, 1982, considered and passed the Senate.

Department of Energy National Defense Programs Authorization Act of 1983

Original title.—Energy Authorization: To authorize appropriations for the Department of Energy for national security programs for fiscal year 1982, and for other purposes.

(Public Law 97-90, 97th Congress, H.R. 3413, December 4, 1981)

Purpose of the Act

This act provides authority for appropriations to the Secretary of Energy for the operating expenses, capital equipment, and construction costs related to the National Defense Programs of the Department of Energy.

Summary of Committee Interest and Activity

The total authorization granted for fiscal year 1982 was $5,036,629,000. A summary of the total authority is as follows:

[In thousands of dollars]

	Request	Senate approved	Conference approved
Naval reactors	326,500	326,500	279,500
Weapons activities	3,070,200	3,118,700	3,089,500
Verification and control technology	50,000	51,500	50,401
Materials production	1,108,400	1,185,800	1,157,800
Waste management	369,700	411,000	390,328
Security and safeguards	48,000	48,000	45,500
Security investigations	23,600	23,600	23,600
Total	4,996,400	5,165,100	5,036,629

The committee showed particular interest in the following points of special emphasis.

(1) *Programming the Energy Department's defense programs.*—The committee reiterated its concern that the national security programs in the Department of Energy must compete for funds with other "perhaps more glamorous" DOE programs, regardless of Department of Defense requirements. The Committee also noted that the DOE national security programs are not reviewed in the Office of Budget and Management (OMB) by the Director of National Security Programs, but rather by the reviewing office for the Department of Energy. The committee found this an inefficient arrangement and requested that OMB give the issue serious consideration and report to the Armed Services Committees of both Houses

within 90 days after the date of enactment of the fiscal year 1982 Department of Energy Defense Programs Authorization Act.

(2) *Defense program budget levels and the nuclear weapons stockpile.*—The committee noted that the budget request for defense programs for fiscal year 1982 increased substantially over the previous year, and stated that for the first time in several years the committee feels comfortable that the amount requested is more nearly at the level it should be. The Committee cautioned that significant increases will be required in future years as new weapons are brought into force and the existing stockpile is modernized. In view of the requirement for increased funding, the committee felt that three points should be clearly understood:

> The size of the stockpile is not changing appreciably. As a new warhead is produced, and older one is retired and disassembled.
>
> The total megatonnage of the stockpile continues to decrease, and today is less than one third of the stockpile fifteen years ago.
>
> New materials and technology make the possibility of a serious accident involving a nuclear weapon remote. The stockpile today is safe, however the current modernization program to further improve safety should proceed with prudent haste.

(3) *Availability of special nuclear material.*—The committee remained concerned about the availability of special nuclear materials that will be needed for weapons production in future years. The committee's primary concern lies beyond 1990, when there is a serious question about the capabilities of existing production facilities to operate safely and efficiently. The committee urged intensive effort in two areas to address this problem:

> The Department of Energy should accelerate its effort to decide on reactor types and locations for future production facilities.
>
> The technical feasibility of laser isotope separation in the production of weapons grade plutonium.

(4) *Report on the stockpile memorandum.*—The committee noted that it has requested the Departments of Energy and Defense to provide a joint report, coordinated with Joint Chiefs of Staff, with regard to each year's Stockpile Memorandum. Past reports have not been submitted in time for proper consideration by the committee. Consequently, the committee requested that such a report be submitted on or before March 1982, for consideration with the fiscal year 1983 budget.

Floor Debate

During floor debate the bill was passed by voice vote with an amendment sponsored by Sen. Jackson (D-Wash.) to require the President to submit to Congress no later than January 31, 1983, a report on his intended program to deal with high-level and transuranic waste produced by military facilities.

Conference Action

In conference the House receded from its disagreement to the amendment of the Senate with an amendment which was a substitute for the House bill (H.R. 3413) and the Senate Amendment.

Conference authorized funding levels are reflected in the table above.

LEGISLATIVE HISTORY

House Reports: No. 97-25 (Committee on Armed Services), and No. 97-352 (Committee of Conference).
Senate Report No. 97-173, accompanying S. 1549.
Congressional Record, Vol 127 (1981):
June 11, 1981, considered and passed House, amended.
November 2, 1981, considered and passed Senate, amended.
November 19, 1981, House agreed to conference report.
November 19, 1981, Senate agreed to conference report.

Intelligence Authorization Act for Fiscal Year 1982

(Public Law 97-89, 97th Congress, H.R. 3454, December 1, 1981)

Purpose of the Act

The purpose of this Act is to:

(1) Authorize appropriations for fiscal year 1982 for intelligence activities of the United States, the Intelligence Community Staff, and the CIA retirement and disability program.

(2) Authorize the personnel end-strength as of September 30, 1982 for the Central Intelligence Agency and the Intelligence Community Staff.

(3) Authorize supplemental appropriations for fiscal year 1981 for the intelligence activities of the United States.

Summary of Committee Activity and Interest

The committee prepared a classified appendix to the classified report of the Senate Select Committee on Intelligence. This appendix contains details of changes recommended by the Committee on Armed Services.

Floor Debate

The Senate considered S. 1127, and on July 16, 1981 postponed action indefinitely, while passing H.R. 3454 with the language of S. 1127 by voice vote.

Conference Action

Due to the classified nature of intelligence activities, a classified annex to the Conference Report provided a detailed description of program and budget authority. Unclassified areas of disagreement are as follows.

(1) The Senate amendment contained a provision which would make it a federal crime to kill, or attempt to kill, CIA personnel while they are acting in the line of duty, intelligence defectors, or foreign visitors present in the United States under the auspices of the Director of Central Intelligence. The conferees agreed that such a proposal deserved consideration, but had not been examined by the House Judiciary Committee. It was agreed to defer the proposal without prejudice.

(2) The House bill authorized $11,900,000 for FBI counterterrorism activities. The Senate amendment carried no such provision. The conferees agreed to the House provision.

(3) The House bill contained a provision which would permit the Director of Central Intelligence to:

Pay CIA officers, employees, detailees, and assignees benefits and allowances comparable to those paid to members of the Foreign Service under chapter 9 of Title I of the Foreign Service Act of 1980;

Pay other allowances and benefits to CIA personnel in connection with certain specified aspects of authorized intelligence activities;

Establish certain travel regulations for CIA personnel inconsistent with government-wide travel procedures where important to the performance of intelligence functions.

The Senate amendment provided similar, but more broadly defined, grants of authority. The conferees agreed to the House provision.

(4) The Senate amendment contained a provision authorizing CIA personnel to carry firearms to perform authorized CIA functions. The House bill contained no such provision. The conferees agreed to the Senate provision, but specifically limited CIA firearms authority to within the United States to the protection of classified materials and information; the training of CIA personnel in the use of firearms; maintenance of the security of CIA installations and property; and protection of CIA personnel, defectors and their families, and other persons in the United States under the auspices of the CIA.

(5) The Senate amendment contained provisions permitting the creation at the National Security Agency of a Senior Cryptologic Executive Service and a merit pay system similar to the Senior Executive Service. The House bill contained no such provision. The conferees agreed to a revised version of the Senate provision.

(6) The Senate amendment contained provisions permitting:

The creation within the Defense Intelligence Agency of a Senior Defense Intelligence Executive Service;

Providing DIA a general exemption from the job classification system;

Extending the authority of the Secretary of Defense to terminate the employment of any DIA employee when he determined such action would be in the interests of the United States;

Providing that organizational, functional, and personnel related information concerning DIA need not be made public. The House bill contained no similar provisions.

The House bill contained no such provision. The conferees agreed to revised language creating a Defense Intelligence Senior Executive Service and a merit pay system at DIA. The conferees agreed not to include the other portions of the Senate amendment, but agreed these proposals require the scrutiny of regular hearings.

LEGISLATIVE HISTORY

House Reports: No. 97-101, part 1 (Select Committee on Intelligence); 97-101, part 2 (House Committee on Armed Services); 97-332 (Committee of Conference).

Senate Reports: No. 97-57, part 1 (Select Committee on Intelligence), to accompany S. 1127; 97-148 (Committee on Armed Services), to accompany S. 1127.

Congressional Record, Vol. 127 (1981).

July 13, 1981, considered and passed the House.

July 16, 1981, considered and passed the Senate, amended.
December 8, 1981, House agreed to conference report.
December 8, 1981, Senate agreed to conference report.

Military Construction Authorization Act, 1982

(Public Law 97-99, 97th Congress, H.R. 3455, December 23, 1981)

Purpose of the Act

The purpose of this act is to provide construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States, in the total amount of $6,546,810,000.

Summary of Committee Interest and Activity

The following table summarizes committee action:

[In thousands of dollars]

	Original request	Amended request	Committee approved
Title I, Army	813,265	849,616	849,056
Title II, Navy	1,074,183	1,175,283	1,226,243
Title III, Air Force	1,610,000	1,680,955	1,254,995
Title IV, Defense agencies	248,400	326,100	311,100
Title V, NATO infrastructure	425,000	425,000	425,000
Title VI, M-X			366,000
Title VII, family housing	2,284,888	2,368,888	2,315,538
Title IX, Guard and Reserve	204,800	203,000	280,000
Total	6,660,536	7,028,842	7,027,932

The committee showed particular interest in a number of areas of special emphasis. Among them are the following:

(1) *Construction in Europe.*—The committee remained concerned at the rapidly escalation costs of construction in Europe. While accepting the necessity of such construction, the committee noted that there is little evidence the Allies are willing to assist in defraying these costs. The committee noted with approval the delivery of a formal demarche to the Federal Republic of Germany by the United States to provide very specific assistance to U.S. forces stationed in the FRG.

(2) *Master restationing plan (MRP).*—The committee noted that one item of the aforementioned demarche was that the FRG fund all costs associated with Phase I of the MRP. In view of this, the Committee rejected the Army request to fund Phase I of the MRP unilaterally in fiscal year 1982 and stated it would not consider any future MRP projects unless the FRG formally refuses to consider the MRP item in the U.S. demarche. The committee went on to say that its information indicated that key German officials have expressed dismay that the precise definition of the MRP has never been offered their government. The committee recommended that the U.S. table a specific and detailed program for FRG consideration.

(3) *Ground launched cruise missile (GLCM).*—The fiscal year 1982 request contained the first increment of funding to construct facili-

ties in support of the deployment in NATO of the Ground Launched Cruise Missile. The request for fiscal year 1982 for the U.S. unilateral share for deployment locations was $69 million. The committee expressed serious reservations about the decision to construct in Italy an entirely new facility for the GLCM deployment. The committee felt that there are sufficient existing U.S. facilities in Italy which would be less costly to utilize. The committee, therefore, requested that before any funds are obligated for this construction site, that the Secretary of Defense, in conjunction with the Secretary of State, seek to obtain a more suitable site and report their findings to the Committee. The committee emphasized that this request should not be perceived as lack of support for comprehensive theatre nuclear modernization; an effort the committee strongly supports.

(4) *Collocated operating bases (COB).*—The Air Force requested unilateral funding of $37 million to construct facilities at several Collocating Operating Bases. Of this $37 million, approximately $24 million is eligible for NATO Infrastructure funding, and the committee felt need not be unilaterally funded.

(5) *Construction priorities.*—With the extremely large backlog of construction requirements for barracks and maintenance facilities in NATO, the committee modified the Department of Defense's request by eliminating projects it considers to be of lower priority, e.g. gymnasiums and community facilities, and replaced them with barracks construction.

(6) *Long range security program.*—The committee noted a long standing interest in the physical security of chemical and nuclear weapon storage sites, and urged the Department of Defense to expedite its implementation of the long range security program, particularly the installation of intrusion detection sensors.

(7) *M-X missile system.*—The Budget request for military construction associated with the M-X missile program assumed the multiple shelter basing system approved by the Carter Administration would be adopted. In view of the then pending Secretary of Defense's review of the entire basing question, the committee authorized the request, but prohibited the use of these funds until the OSD's review was completed and the Congress had 60 days to consider the resultant conclusions.

The committee also moved the M-X to a separate title within the act in view of the special management such a large construction project will require.

The committee also authorized the Secretary of Defense to determine if the M-X basing construction project will cause impacts on local economies that cannot be handled by other Federal agencies using existing impact aid mechanisms. If there are, the Secretary may seek funds to be made available to appropriate state or local agencies.

(8) *East Coast Trident Base, King's Bay, Georgia.*—The committee agreed to the authorization of $65 million, the first increment of a seven year program. The committee, however, expressed concern over continuing with this construction in view of the uncertainties of the Trident submarine program. The committee therefore requested the Secretary of the Navy to provide a report to justify proceeding with this construction project in fiscal year 1982.

(9) *Middle East base construction.*—The fiscal year 1982 request contains the second increment of funds for construction of contingency bases in the Middle East/Persian Gulf region. The committee remains convinced that for national security interests the United States must have the capability to deploy forces to the region rapidly in the event resources are threatened.

(10) *Strategic Projection Force.*—The committee concurs with the planned construction of facilities to accommodate staging the Strategic Projection Force (B-52's, tanker aircraft, and strategic reconnaissance aircraft) in the Middle East, with the concurrence of host countries.

(11) *Energy.*—The committee noted that the Department of Defense has excelled in its energy conservation initiatives, and urged the Department to continue to apply its expertise to solutions to the energy crisis.

(12) *Family housing.*—The committee took two initiatives to effect economies in this area. The committee authorized the construction of 200 units of manufactured housing and, noting the lower cost of manufactured over conventional housing, feels the military should consider greater use of this expedient.

Secondly, the committee registered serious concern over exorbitant leases paid in such countries as Saudia Arabia, Argentina, and Nigeria for military family housing. The committee gave the Department notice that it intends to cutback these leases 10 percent per year, starting in fiscal year 1983.

Floor Debate

On November 5, 1981, the Senate considered and indefinitely postponed S. 1408, while passing H.R. 3455 with floor amendments and the language of S. 1408.

Conference Action

A summary of the conference committee's funding authorizations is as follows:

[In thousands of dollars]

	Senate approved	Conference approved
Title I, Army	849,056	804,720
Title II, Navy	1,226,203	1,240,033
Title III, Air Force	1,254,995	1,258,506
Title IV, Defense agencies	311,100	282,815
Title V, NATO infrastructure	425,000	345,000
Title IV, Family housing	2,315,538	2,335,736
Title IX, Guard and Reserve	280,000	280,000
Total	7,027,932	6,546,810

Among the major issues resolved in conference were:

(1) *Master restationing plan (MRP).*—The Senate receded from its position deleting funding for MRP projects, contingent upon agreement by the Federal Republic of Germany to designate a responsible negotiator and start negotiations in good faith toward German funding participation.

(2) *M-X missile basing.*—In view of the President's decision, announced in October 1981, to cancel the Multiple Protective Shelter basing system for the M-X, conferees agreed to delete all MPS construction funds, but retained $11,000,000 in authority to acquire the San Bernadino County office complex adjacent to Norton AFB, California.

(3) *Fort Irwin family housing project.*—Both Senate and House added 200 units of manufactured housing at Fort Irwin, California. The House authorized $8.8 million, while the Senate authorized $11 million to allow installation of solar energy units. The House receded.

LEGISLATIVE HISTORY

House Reports: No. 97-44 (Committee on Armed Services); and No. 97-362 (Committee of Conference).
Senate Report No. 97-141 (Committee on Armed Services) to accompany S. 1408.
Congressional Record Vol. 127 (1981).
  June 4, 1981, considered and passed House, amended.
  November 5, 1981, considered and passed Senate, amended.
  December 8, 1981, House agreed to conference report.
  December 8, 1981, Senate agreed to conference report.

Defense Officer Personnel Management Act

(Public Law 97-22, 97th Congress, H.R. 3807, July 10, 1981)

Purpose of the Act

To make technical corrections to the Defense Officer Personnel Management Act.

Summary of Committee Activity and Interest

Referred to Senate Armed Services Committee on June 18, 1981, and on June 25, 1981 the committee was discharged from further consideration. No report was printed.

LEGISLATIVE HISTORY

House Report No. 97-141 (Committee on Armed Services).
Congressional Record, Vol. 127 (1981):
  June 16, 1981, considered and passed the House.
  June 25, 1981, considered and passed the Senate.

Authorization to Secretary of the Army to return certain works of art to the Federal Republic of Germany

(Public Law 97-155, 97th Congress, H.R. 4625, March 17, 1982)

Purpose of the Act

To authorize the Secretary of the Army to return to the Federal Republic of Germany certain works of art seized by the United States Army at the end of World War II.

Summary of Committee Interest and Activity

The bill provides that all articles of confiscated art will be reviewed by an interdepartmental committee appointed by the Secretary of the Army to determine whether they are appropriate for return under the provisions of the Protocol Proceedings of the Berlin (Potsdam) Conference of July 17, 1945. Any art work found by this committee to glorify Adolf Hitler or Nazism would be retained in the United States. The Committee on Armed Services reported favorably on the bill with amendments and recommended that the bill be passed.

Floor Action

The bill with amendments passed the Senate by voice vote.

LEGISLATIVE HISTORY

House Report No. 97-298 (Committee on Armed Services).
Senate Report No. 97-291 (Committee on Armed Services).
Congressional Record, Vol. 127 (1981):
  November 4, 1981, considered and passed the House.
Congressional Record Vol. 128 (1982):
  February 25, 1982, considered and passed the Senate with amendments.
  March 2, 1982, House agreed to Senate amendments.

Military Justice System: To amend title 10, United States Code, to improve the military justice system

(Public Law 97-81, 97th Congress, H.R. 4792, November 20, 1981)

Purpose of the Act

To amend title 10, United States Code, to improve the military justice system.

Summary of Committee Interest and Activity

The committee did not consider H.R. 4792.

Floor Debate

H.R. 4792 was received in the Senate and passed by voice vote on November 5, 1981.

LEGISLATIVE HISTORY

House Report No. 97-306 (Committee on Armed Services).
Congressional Record, Vol. 127 (1981):
  November 4, 1981, considered and passed the House.
  November 5, 1982, considered and passed the Senate.

Intelligence Authorization Act for Fiscal Year 1983

(Public Law 97-269, 97th Congress, H.R. 6068, September 27, 1982)

Purpose of the Act

To authorize appropriations for fiscal year 1983 for intelligence and intelligence-related activities of the United States Government, for the Intelligence community Staff, for the Central Intelligence Agency Retirement and Disability, to authorize supplemental appropriations for fiscal year 1982 for the intelligence and intelligence-related activities of the United States government, and for other purposes.

Summary of Committee Interest and Activity

The classified nature of United States intelligence activities prevents the disclosure of details of the intelligence budget. The Senate Select Committee on Intelligence, however, prepared a classified report to accompany S. 2487 (Authorizing Appropriations for

Fiscal Year 1983, Intelligence) which describes in detail the full scope and intent of its actions. The Committee on Armed Services prepared a classified annex to the report of the Select Committee on Intelligence detailing its recommended changes.

Floor Debate

On June 30, 1982 S. 2487 was considered and passed by the Senate. The passage was rescinded and action indefinitely postponed, while H.R. 6068 was passed with the language of S. 2487.

Conference Action

Among the unclassified issues resolved in the Conference Committee were the following:

The house bill authorized $17 million and 220 personnel for the Intelligence Community Staff, while the Senate amendment authorized $15.2 million and 210 personnel. The House receded.

The Senate reduced CIA external contracts by $1.5 million. The conferees agreed to a restoration of $0.3 million.

The Senate amendment contained a provision, Section 402, which empowered the Director of Central Intelligence to authorize the employment of additional civilian personnel at the Central Intelligence Agency above the limit set by the Intelligence Authorization Act for Fiscal Year 1982, upon his determination that such action was necessary to the performance of important intelligence functions. The House bill contained no similar provision. The conferees agreed to the Senate provision.

The Senate amendment contained a provision, section 502, which would exempt the Central Intelligence Agency from the provisions of Section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759), The "Brooks Act". The House bill contained no similar provision. The conferees agreed to the Senate provision.

Both the House bill and the Senate amendment contained provisions designed to provide retirement equity for spouses of certain CIA employees. The conferees agreed to a modified version of the Senate provision.

LEGISLATIVE HISTORY

House Reports: No. 97-468, part 1 (Permanent Select Committee on Intelligence); No. 97-468, part 2 (Committee on Armed Services); No. 97-779 (Committee of Conference).

Senate Reports: No. 97-379 (Select Committee on Intelligence); No. 97-480 (Committee on Armed Services).

Congressional Record, Vol. 128 (1982):
- May 19, 1982, considered and passed by the House.
- June 30, 1982, considered and passed by the Senate with the language of S. 2487.
- September 8, 1982, House agreed to conference report.
- September 10, 1982, Senate agreed to conference report.

To revise and codify the permanent provisions of law relating to military construction and military family housing

(Public Law 97-214, 97th Congress, H.R. 6451, July 12, 1982)

Purpose of the Act

The purpose of this bill is to revise and codify the permanent provisions of law relating to military construction and military family housing. The bill would:

Revise and codify in a new chapter of title 10, United States Code recurring provisions of the annual Military Construction Authorization bill S. 2645;

Revise and codify in the new chapter permanent provisions of law enacted in annual Military Construction Authorization Acts, but which are contained in the United States Code; and

Transfer related military construction provisions of title 10 U.S.C. to a new chapter.

Summary of Committee Interest and Activity

This legislation was development as a joint project of the staff of the Subcommittee on Military Installations and Facilities of the House Armed Services Committee and of the Subcommittee on Military Construction of the Senate Armed Services Committee. As a result of extensive coordination, the Armed Services Committee of both Houses reported identical bills.

The bill is essentially a codification of existing law to make it more readily available for future reference. For the most part, current policy and procedures have simply been incorporated in the new format. In some few instances, changes in policy have been adopted by the Committee. These are presented as follows.

(1) *Decentralization of administration of military construction and military family housing.*—The committee concurs with Department of Defense proposals to decentralize various military construction activities:

Emergency construction.

Unspecified minor construction.

Architectural and engineering services and construction design.

Military family housing.

Authorized cost variations.

Restoration or replacement of facilities damaged or destroyed.

(2) *Establishment of certain amounts to be specified by law each year.*—The provisions to be codified contained certain dollar amounts that established either military department approval levels, or ceilings for which notifications or reports are to be submitted to the appropriate committees of Congress. To keep these and other amounts current, the committee recommended including in the annual military construction authorization act a special section to establish dollar amounts for several items for seven items:

Unspecified minor construction project ceiling.

Congressional notification amount for starting construction design or major projects.

Cost limitations to improvements for family housing.

Rental ceiling—United States.
Rental ceiling—Foreign.
Maximum number of foreign leases.
Notification ceiling—leases in a foreign country.

(3) *Annual report requirement.*—The committee considered this codification bill to present a unique opportunity to completely revise annual reporting requirements. To the degree possible, the committee attempted to match its data requirements with those used by the military departments and defense agencies in their day-to-day management of military construction. With the placing of annual reporting requirements into law, the committee expects the Department of Defense to develop a construction management system that would build upon those already established by the individual military departments. Those annual reports whose requirements have been established in the bill are as follows:

Contingency construction.
Unspecified minor construction.
North Atlantic Treaty Organization Infrastructure.
Architectural and engineering services and construction design.
Supervision of military construction.
Limitation on the use of funds for expediting a construction project.

(4) *Unspecified minor construction.*—The committee recommended that single amount be authorized to be appropriated for unspecified minor construction and that authority for specified location minor construction projects be included within the dollar amount of the related installation.

(5) *Authorized cost variation.*—The committee has always recognized that the complexities of the construction marketplace make it impossible for the military departments to estimate precisely what a construction project will cost. Consequently, the military departments have always had the legal flexibility to allow some variation in cost from the estimates presented to Congress. Changes in the current cost variation provisions contained in the bill would establish a fixed notification ceiling for projects with costs in excess of $8 million, require post award notifications and standardize cost variation provisions for minor construction projects, regular military construction, military family housing projects, and land acquisition projects.

Floor Action

Senate agreed to H.R. 6451 by voice vote.

LEGISLATIVE HISTORY

House report No. 97-612 (Committee on Armed Services).
Senate report No. 97-474 (Committee on Armed Services).
Congressional Record, Vol. 128 (1981):
  June 21, considered and passed House.
  June 30, considered and passed Senate.
  July 12, approved public law 97-214.

Authorizing the Transfer of Certain Excess Naval Vessels to Foreign Countries

(Public Law 97-342, 97th Congress, H.R. 7115, October 15, 1982)

Purpose of the Act

The purpose of the act is to permit the sale or lease of nine naval vessels to six foreign governments.

Summary of Committee Interest and Activity

The committee noted that the ship transfer program has been an integral part of the U.S. security assistance program for twenty-five years. The committee approved the practice of offering to friendly nations ships which would otherwise be scrapped or mothballed.

The committee approved the leasing of the following ships to the nations indicated.

Tacoma (PG-92)	Patrol Craft	Colombia
Welch (PG-93)	Patrol Craft	Colombia
Republic (PTF-23)	Patrol Boat	Dominican Republic
ARD 24	Drydock	Ecuador
Gillis (AGOR-4)	Oceanography Research Ship	Mexico
Everglades (AD-24)	Destroyer Tender	Pakistan
Piedmont (AD-17)	Destroyer Tender	Turkey

Floor Debate

On October 1, 1982, H.R. 7115 was considered and passed by the Senate.

LEGISLATIVE HISTORY

House Reports: No. 97-843, part 1 (Committee on Armed Services); No. 97-843, part 2 (Committee on Foreign Affairs).
Senate Report No. 97-595 (Committee on Armed Services), to accompany S. 2965.
Congressional Record, Vol. 128 (1982):
September 28, 1982, considered and passed the House.
October 1, 1982, considered and passed the Senate.

LEGISLATION REPORTED BUT NOT ENACTED INTO PUBLIC LAW

National Nuclear Waste Policy Act of 1981: To establish a limited program for Federal storage of spent fuel from civilian nuclear power plants, to set forth a Federal policy, initiate a program, and establish a national schedule for the disposal of nuclear waste from civilian activities, and for other purposes

LEGISLATIVE HISTORY

Senate Reports: No. 97-282 (Committee on Energy and Natural Resources and Environment and Public Works); No. 97-327 (Committee on Armed Services).
Congressional Record, Vol. 128 (1982):
April 28, 29, 1982, considered and passed Senate.

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Retirement Benefits: To amend title 10, United States Code, to require the Secretary concerned to comply with the terms of certain court orders in connection with the divorce, dissolution, annulment, or legal separation of a member or former member of a uniformed service and which affect the retired or retainer pay of such a member or former member, and for other purposes

LEGISLATIVE HISTORY

Senate Report No. 97-502 (Committee on Armed Services).
Congressional Record, Vol. 127:
November 4, 1981, Remarks of Senator Jepsen.
Congressional Record, Vol. 128:
September 14, 1982, considered and indefinitely postponed by Senate.

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General flag officer requirements: To eliminate general and flag officer grade requirements from certain statutory positions in the Armed Forces, to delay the effective date of the ceiling of the number of general flag officers serving on active duty, and for other purposes

LEGISLATIVE HISTORY

Senate Report No. 97-288 (Committee on Armed Services).
November 3, 1981, placed on Senate Legislative Calendar under Regular Orders, calendar No. 399.

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Energy Authorization: To authorize appropriations for the Department of Energy for national security programs for fiscal year 1983, and for other purposes

LEGISLATIVE HISTORY

Senate Report No. 97-517 (Committee on Armed Services).
Congressional Record, Vol. 128:
August 5, 1982, original bill reported to the Senate.

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Uniformed Services Pay Act of 1982: To provide a 4-percent increase in the pay and allowances of members of the uniformed services, to make changes in certain elements of military compensation and in certain personnel programs, and for other purposes

LEGISLATIVE HISTORY

Senate Report No. 97-965 (Committee on Armed Services).
Congressional Record, Vol. 128:
September 21, 1982, original bill reported to the Senate.

RESOLUTIONS REPORTED AND ADOPTED

Authorizing expenditures by the Committee on Armed Services (S. Res. 60)

LEGISLATIVE HISTORY

Senate Report No. 97-7 (Committee on Rules and Administration).
Congressional Record, Vol. 127 (1981):
  Feb. 3, original resolution reported without written report and referred to the Committee on Rules and Administration.
  Feb. 24, reported from Rules Committee, amended.
  Mar. 3, agreed to by the Senate by vote of 93-0.

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Waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 694 (S. Res. 105)

LEGISLATIVE HISTORY

Congressional Record, Vol. 127 (1981):
  Apr. 1, original resolution reported without written report and referred to the Committee on the Budget.
  Apr. 3, reported from the Budget Committee.
  Apr. 7, agreed to by the Senate by voice vote.

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Waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1408 (S. Res. 159)

LEGISLATIVE HISTORY

Congressional Record, Vol. 127 (1981):
  June 22, original resolution reported without written report and referred to the Committee on the Budget.
  July 16, reported from the Budget Committee.
  Nov. 5, agreed to by the Senate by voice vote.

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Waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1181 (S. Res. 168)

LEGISLATIVE HISTORY

Congressional Record, Vol. 127 (1981):
  July 8, original resolution reported without written report and referred to the Committee on the Budget.
  July 20, reported from the Budget Committee.
  Sept. 10, agreed to by the Senate by voice vote.

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Waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1549 (S. Res. 196)

LEGISLATIVE HISTORY

Congressional Record, Vol. 127 (1981):
- July 30, original resolution reported without written report and referred to the Committee on the Budget.
- Sept. 15, reported from the Budget Committee.
- Nov. 3, agreed to by the Senate by voice vote.

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Authorizing expenditures by Committee of the Senate (S. Res. 333)

LEGISLATIVE HISTORY

Congressional Record, Vol. 128 (1982):
- Mar. 4, original resolution reported by Committee on Rules and Administration (Senate Report No. 97-318) (Section 5 authorized funds for the Committee on Armed Services).
- Mar. 11, agreed to by the Senate by voice vote.

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Waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2248 (S. Res. 360)

LEGISLATIVE HISTORY

Congressional Record, Vol. 128 (1982):
- Apr. 8, original resolution reported without written report and referred to the Committee on the Budget.
- Apr. 26, reported from the Budget Committee.
- May 3, agreed to by the Senate by voice vote.

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Authorizing expenditures by the Committee on Armed Services for the training of professional staff (S. Res. 518)

LEGISLATIVE HISTORY

Congressional Record, Vol. 128 (1982):
- Dec. 14, considered by committee and approved. Open; not printed.
- Dec. 16, original resolution reported to the Senate, without written report, immediately considered and passed by voice vote.

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NOMINATIONS REFERRED TO COMMITTEE

Date considered by committee	Name	Date confirmed by Senate
July 29, 1981	Aldridge, Edward C., Jr., of Virginia, to be Under Secretary of the Air Force, vice Antonia H. Chayes, resigned.	July 30, 1981.
Oct. 6, 1981	Ambrose, James R., of North Carolina, to be Under Secretary of the Army, vice Robert H. Spiro, Jr., resigned.	Oct. 7, 1981.
June 3, 1981	Bonner, Joel E., Jr., of Virginia, to be Assistant Secretary of the Army (Installations, Logistics and Financial Management), vice Alan J. Gibbs, resigned.	June 4, 1981.
Sept. 15, 1982	Bosworth, Stephen W., of Michigan, to be a Member of the Board of the Panama Canal Commission, vice John A. Bushnell, resigned. (Nominee did not appear).	Sept. 29, 1982.
Jan. 13, 19, 26, 1981	Carlucci, Frank C., of Virginia, to be Deputy Secretary of Defense. Executive report 97–2 filed in Senate Jan. 19, 1981.	Feb. 3, 1981.
Apr. 29, 1981	Catto, Henry E., Jr., of Texas, to be Assistant Secretary of Defense (Public Affairs), vice Thomas B. Ross, resigned.	May 4, 1981.
Dec. 14, 1982	Coleman, Francis C., of Florida, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for the term expiring May 1, 1983, vice Philip O'Bryan Montgomery, Jr., term expired. (Nominee did not appear).	Dec. 16, 1982.
Dec. 16, 1982	Cooper, Thomas E., of Virginia, to be Assistant Secretary of the Air Force (Research, Development and Logistics), vice Alton G. Keel, Jr., resigned.	Dec. 21, 1982.
May 4, 1981	DeLauer, Richard D., of California, to be Under Secretary of Defense for Research and Engineering, vice William J. Perry, resigned.	May 6, 1981.
May 19, 1982	Gabriel, General Charles A., United States Air Force, to be Chief of Staff of the Air Force.	May 21, 1982.
June 3, 1981	Gianelli, William R., of California, to be Assistant Secretary of the Army (Civil Works), vice Michael Blumenfeld, resigned.	June 4, 1981.
June 11, 1981	Gianelli, William R., Assistant Secretary of the Army (Civil Works), to be a Member of the Board of the Panama Canal Commission, vice Michael Blumenfeld, resigned. (The nominee did not appear).	June 15, 1981.
Sept. 14, 1982	Gibson, Andrew E., of New Jersey, to be a Member of the Board of the Panama Canal Commission, vice John W. Clark, resigned.	Sept. 15, 1982.
Sept. 24, 1981	Goodrich, James F., of Maine, to be Under Secretary of the Navy, vice Robert J. Murray, resigned.	Sept. 25, 1981.
June 11, 1981	Hale, Russell D., of Virginia, to be Assistant Secretary of the Air Force (Financial Management), vice Charles W. Snodgrass, resigned.	June 15, 1981.
Sept. 24, 1981	Herrington, John S., of California, to be Assistant Secretary of the Navy (Manpower and Reserve Affairs), vice Joseph A. Doyle, resigned.	Sept. 25, 1981.
Mar. 26, 1981	Ikle, Fred C., of Maryland, to be Under Secretary of Defense for Policy, vice Robert W. Komer, resigned.	Mar. 27, 1981.
July 29, 1981	Keel, Alton G., Jr., of the District of Columbia, to be Assistant Secretary of the Air Force (Research, Development and Logistics), vice Robert J. Hermann, resigned.	July 30, 1981.
Apr. 9, 1981	Korb, Lawrence J., of Virginia, to be Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics), vice Robert B. Pirie, Jr., resigned.	Apr. 27, 1981.
Dec. 14, 1982	Lambird, Perry A., of Oklahoma, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 1987, vice Lieutenant General Leonard D. Heaton, United States Army, Retired, term expired. (Nominee did not appear).	Dec. 16, 1982.

Date considered by committee	Name	Date confirmed by Senate
Jan. 28, 1981	Lehman, John F., Jr., of Virginia, to be Secretary of the Navy, vice Edward Hidalgo, resigned.	Jan. 29, 1981.
Jan. 26, 1981	Marsh, John O., Jr., of Virginia, to be Secretary of the Army, vice Clifford L. Alexander, Jr., resigned.	Jan. 29, 1981.
June 3, 1981	McCoy, Tidal W., of Virginia, to be Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations), vice Joseph C. Zengerle III, resigned.	June 4, 1981.
Feb. 23, 25, 1982	McKee, Vice Admiral Kinnaird R., USN, to be admiral and Director of the Office of Naval Nuclear Propulsion, Department of Energy, vice Admiral Hyman Rickover. (Appeared before Strategic and Theater Nuclear Forces Subcommittee February 23, 1982, which subsequently reported to full committee Feb. 25, 1982).	Mar. 2, 1982.
Dec. 14, 1982	Olch, David I., of California, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 1987, vice David Packard, term expired. (Nominee did not appear).	Dec. 16, 1982.
Dec. 14, 1982	O'Rourke, James F. X., of New York, to be a Member of the Board of Regents to the Uniformed Services University of the Health Sciences for a term expiring May 1, 1987, vice Francis D. Moore, term expired. (Nominee did not appear).	Dec. 16, 1982.
Jan. 28, Feb. 5, 1981	Orr, George Vernon, Jr., of California, to be Secretary of the Air Force, vice Hans Mark, resigned.	Feb. 6, 1981.
Nov. 18, 1981	Paisley, Melvyn R., of Washington, to be Assistant Secretary of the Navy (Research, Engineering and Systems), vice David E. Mann, resigned.	Nov. 23, 1981.
July 16, 1981	Perle, Richard N., of Maryland, to be Assistant Secretary of Defense (International Security Policy), vice Gerald P. Dineen, resigned.	Aug. 3, 1981.
June 11, 1981	Philbin, Edward J., of California, to be Deputy Assistant Secretary of Defense for Reserve Affairs, vice Harold W. Chase, resigned.	June 15, 1981.
June 11, 1981	Roser, Herman E., of New Mexico, to be Assistant Secretary of Energy (Defense Programs), vice Duane C. Sewell, resigned.	June 15, 1981.
Apr. 29, 1981	Rourke, Russell A., of Maryland, to be Assistant Secretary of Defense (Legislative Affairs), vice Russell Murray II, resigned.	May 4, 1981.
June 11, 1981	Sawyer, George A., of New Jersey, to be Assistant Secretary of the Navy (Shipbuilding and Logistics), vice George A. Peapples, resigned.	June 15, 1981.
Oct. 6, 1981	Sculley, Jay R., of Virginia, to be Assistant Secretary of the Army (Research, Development and Acquisition), vice Percy A. Pierre, resigned.	Oct. 7, 1981.
Mar. 26, 1981	Taft, William H., IV, of Virginia, to be General Counsel of the Department of Defense, vice Togo D. West, Jr., resigned.	Mar. 27, 1981.
Dec. 14, 1982	Thayer, W. Paul, of Texas, to be Deputy Secretary of Defense, vice Frank C. Carlucci, resigned.	Dec. 16, 1982.
Sept. 24, 1981	Turnage, Thomas K., of California, to be Director of Selective Service, vice Bernard D. Rostker, resigned.	Sept. 25, 1981.
May 11, 1982	Vessey, General John W., Jr., United States Army, to be Chairman of the Joint Chiefs of Staff.	May 12, 1982.
Apr. 26; May 20, 1982	Wagner, Richard L. Jr., of California, to be Chairman of the Military Liaison Committee to the Department of Energy, vice James P. Wade, Jr., resigned. (Appeared before the Strategic and Theater Nuclear Forces Subcommittee Apr. 26, 1982, which subsequently reported to full Committee, May 20, 1982).	May 21, 1982.
Aug. 18, 1982	Walker, Major General Emmett H., Army National Guard, to be Chief, National Guard Bureau.	Aug. 19, 1982.
June 3, 1981	Walters, Harry N., of New York, to be Assistant Secretary of the Army (Manpower and Reserve Affairs), vice William E. Peacock, resigned.	June 4, 1981.
Sept. 14, 1982	Watkin, William W., Jr., of New Jersey, to be a Member of the Board of the Panama Canal Commission, vice Clifford B. O'Hara, resigned.	Sept. 15, 1982.
May 19, 1982	Watkins, Admiral James D., United States Navy, to be Chief of Naval Operations.	May 21, 1982.
Jan. 6, 19, 1981	Weinberger, Caspar W., of California, to be Secretary of Defense. Executive report 97-1 filed in Senate Jan. 19, 1981.	Jan. 20, 1981.

Date considered by committee	Name	Date confirmed by Senate
June 25, 1981	West, Francis J., of Rhode Island, to be Assistant Secretary of Defense (International Security Affairs), vice David E. McGiffert, resigned.	June 25, 1981.

NOMINATIONS FOR PROMOTIONS IN THE ARMED FORCES

The committee considered nominations for promotions in the armed services. Nominations submitted to the Senate by the President for confirmation resulted in the following:

January 5 through December 16, 1981

Army nominations, totaling 16,400, disposed of as follows:	
Confirmed	16,400
Unconfirmed	0
Navy nominations, totaling 28,931, disposed of as follows:	
Confirmed	28,599
Unconfirmed	332
Air Force nominations, totaling 45,101, disposed of as follows:	
Confirmed	44,809
Unconfirmed	292
Marine corps nominations, totaling 11,151, disposed of as follows:	
Confirmed	11,151
Unconfirmed	0

January 25 through December 23, 1982

Army nominations, totaling 35,198, disposed of as follows:	
Confirmed	35,197
Withdrawn	1
Navy nominations, totaling 22,611 (including 332 carried over from the first session), disposed of as follows:	
Confirmed	22,611
Unconfirmed	0
Air Force nominations, totaling 15,561 (including 292 carried over from the first session), disposed of as follows:	
Confirmed	15,561
Unconfirmed	0
Marine Corps nominations, totaling 2,848, disposed of as follows:	
Confirmed	2,848
Unconfirmed	0

INVESTIGATIONS, HEARINGS, AND OTHER MATTERS NOT DIRECTLY PERTAINING TO LEGISLATION BEFORE THE COMMITTEE

Jan. 27, 1981

Briefing by the Central Intelligence Agency on the general worldwide situation. Executive; not printed.

Mar. 26, 1981

Committee met to consider its recommendations to the Budget Committee on the Fiscal Year 1982 target for the National Defense Budget Category. Executive; not printed.

April 22, 1981

Committee met informally with Mr. Agha Shahi, Minister of Foreign Affairs of the Islamic Republic of Pakistan. Executive; not recorded.

June 11, 1981

Committee met informally with Mr. Haluk Bayulken, Minister of National Defense of the Republic of Turkey. Executive; not recorded.

June 24, 1981

Committee met to receive testimony from DOD and public witnesses on the potential effects of proposed reductions in impact aid on various school districts and on the dependent children of military personnel enrolled in public schools. Open. Printed.

July 8, 1981

Committee met informally with five Members of the Special Committee on Security Affairs of the Japanese Diet. Executive; not recorded.

July 15, 1981

Committee met informally with five members of the Defense Committee of the Chamber of Deputies of the Spanish Parliament. Executive; not recorded.

July 21, 1981

Committee met to receive testimony from the Honorable Edward L. Rowny, Special Representative for Arms Control and Disarmament Negotiations-Designate, and Chief Negotiator for Arms Control Negotiations-Designate, on arms control issues. Open. Printed.

July [illegible]

Senate Armed Services Conferees (Senators Tower, Humphrey, Jepsen, Exon and Levin) met with House Conferees to resolve Armed Services matters within H.R. 3982, the Fiscal

Year 1982 Budget Reconciliation Bill. Executive; not recorded.

July 24, 1981

Committee met to receive testimony from the Honorable Eugene V. Rostow, Director, U.S. Arms Control and Disarmament Agency, on arms control issue. Open. Printed.

July 28, 1981

Committee met to receive testimony from Department of Defense officials on defense procurement policy and management. Open. Printed.

July 30, 1981

Committee met to receive testimony from Secretary of State Alexander M. Haig, Jr. regarding the role of military power in the attainment of foreign policy initiatives. Executive; not printed

Sept. 11, 1981

Committee met informally with five members from the Defense Committee of the National Assembly of the Republic of Korea. Executive; not printed.

Sept. 25, 1981

Committee met to receive testimony from Central Intelligence Agency on the military and technical implications of the proposed sale to Saudi Arabia of Airborne Warning and Control System (AWACS) aircraft and F-15 enhancements. Executive; not printed.

Sept. 28, 1981

Committee met to receive testimony from Department of Defense witnesses on the military and technical implications of the proposed sale to Saudi Arabia of Airborne Warning and Control System (AWACS) aircraft and F-15 enhancements. Open. Printed.

Sept. 30, 1981

Committee met to receive testimony from Major General George J. Keegan, USAF, Ret. on the military and technical implications of the proposed sale to Saudi Arabia of Airborne Warning and Control System (AWACS) aircraft and F-15 enhancements. Open. Printed.

Oct. 1, 1981

Committee met to receive testimony from Department of Defense and State Department witnesses on the military and technical implications of the proposed sale to Saudi Arabia of Airborne Warning and Control System (AWACS) aircraft and F-15 enhancements. Executive; not printed.

Oct. 5, 1981

Committee met to receive testimony from Department of Defense witnesses on the President's decisions on strategic systems. Open. Printed.

Oct. 15, 1981

Committee met to consider the Committee report on the military and technical implications of the proposed sale to Saudi Arabia of Airborne Warning and Control System (AWACS) and F-15 enhancements. Approved. Executive; not printed.

Nov. 1, 1981

Committee met to receive a briefing from DOD witnesses on certain classified programs. Executive; not recorded.

Nov. 5, 1981

Committee met to receive testimony from Department of Defense witnesses on the President's decision on strategic systems and the impact of the September DOD budget revisions. Open. Printed.

Nov. 12, 1981

Committee met informally with a special parliamentary delegation from the Knesset of Israel to discuss the Middle East peace process. Executive; not recorded.

Dec. 1, 1981

Committee met to receive testimony from a Department of Defense witness on the President's arms control proposal. Open. Printed.

Jan. 28, 1982

Committee met informally with the Subcommittee on Defense Cooperation of the Military Committee of the North Atlantic Assembly. Executive; not recorded.

Feb. 1, 1982

Briefing by the Central Intelligence Agency on the general world-wide situation. Executive; not printed.

Mar. 4, 1982

Committee met to consider its recommendations to the Budget Committee on the fiscal year 1982 target for the National Defense Budget Category. Executive; not printed.

Mar. 25, 1982

Committee met informally with six members of the Armed Services Committee of the Spanish Senate. Executive; not recorded.

May 21, 1982

Committee met jointly with members of the House Armed Services Committee and Senate and House Defense Appropriations Subcommittees to receive a briefing on National Security Council policies on national security strategy. Executive; not recorded.

May 24, 1982

Committee met to receive a briefing on the Strategic Arms Reduction Talks from Defense and State Department witnesses. Executive; not printed.

June 17, 1982

Committee met informally with the Subcommittee on Defense Cooperation of the Military Committee of the North Atlantic Assembly. Executive; not recorded.

June 17, 1982

Committee met to receive testimony from Department of Defense witnesses on the proposed integration of the Military Traffic Management Command and the Military Sealift Command into a unified command. Executive. Printed.

June 29, 1982

Committee met informally in the Second Parliamentary Exchange of the Defense Committee, House of Commons. Executive; not recorded.

July 1, 1982

Committee met to receive a briefing by the CIA on recent Soviet strategic exercises. Executive; not recorded.

July 16, 1982

Committee met to receive a briefing from the Central Intelligence Agency on the Iran-Iraq war. Executive; not recorded.

Sept. 23, 1982

Committee met to receive a briefing from Administration witnesses on the Intermediate Nuclear Forces (INF) Negotiations. Executive.

Sept. 28, 1982

Committee met to receive a briefing from Administration witnesses providing an update on the START negotiations. Executive.

Dec. 8, 1982

Committee met to receive testimony from Department of Defense and State Department witnesses on the MX missile and the associated Presidential basing decision. Open. Printed.

Dec. 16, 1982

Committee met to receive testimony from outside witnesses on the structure and operating procedures of the Joint Chiefs of Staff. Open. Printed.

ARMED SERVICES COMMITTEE STAFF

James F. McGovern, *Staff Director and Chief Counsel* [1]
L. Wayne Arny III, *Professional Staff Member* [2]
Suzanne Bantz, *Receptionist* [3]
Paul C. Besozzi, *Minority Counsel*
Christine Cowart Dauth, *Chief Clerk* [4]
Marie F. Dickinson, *Staff Assistant*
Michael B. Donley, *Professional Staff Member* [5]
Robert S. Dotson, *Professional Staff Member*
Tamara L. Farnsworth, *Staff Assistant* [6]
Richard D. Finn, Jr., *Professional Staff Member* [7]
Frank J. Gaffney, Jr., *Professional Staff Member* [8]
Drew A. Harker, *Research Assistant* [9]
Brenda K. Hudson, *Assistant Chief Clerk* [10]
George K. Johnson, Jr., *Professional Staff Member* [11]
Kathy L. Keys, *Staff Assistant* [12]
Barbara A. Lacey, *Staff Assistant* [13]
James R. Locher III, *Professional Staff Member*
Karen A. Love, *Staff Assistant*
David S. Lyles, *Professional Staff Member* [14]
Kimberly A. Manning, *Staff Assistant* [15]
José E. Martinez, *Professional Staff Member* [16]
Kathleen L. McGuire, *Staff Assistant* [17]
Jacquie S. O'Grady, *Staff Assistant*
Anthony J. Principi, *Counsel* [18]
Patrick L. Renehan, *Professional Staff Member* [19]
Mark B. Robinson, *Research Assistant* [20]
Ann E. Sauer, *Special Assistant* [21]
Mary A. Shields, *Research Assistant* [22]
Carl M. Smith, *Professional Staff Member*
James C. Smith, *Professional Staff Member*
Gerald D. Strickler, *Printing and Documents Clerk*
Frances J. Sullivan, *Minority Staff Director*
Ursula Wohlfahrt, *Staff Assistant* [23]
Alan R. Yuspeh, *Genral Counsel* [24]

Appointed: [1] Jan. 5, 1981; appointed Staff Director and Chief Counsel Oct. 1, 1982; [2] Feb. 9. 1981; [3] Oct. 18, 1982; [4] Aug. 3, 1981; [5] Feb. 1, 1981; [6] June 15, 1981; [7] Jan. 1, 1981, appointed professional staff member Jan. 12, 1982; [8] Feb. 9, 1981; [9] June 15, 1981; [10] Oct. 1, 1981; [11] Jan. 11, 1982; [12] Mar. 9, 1981; [13] Aug. 9, 1982; [14] July 27, 1981; [15] Nov. 16, 1981; [16] Aug. 5, 1981; [17] July 27, 1981; [18] Feb. 6, 1981, appointed Counsel Jan. 22, 1982; [19] Jan. 18, 1982; [20] Sept. 29, 1981; [21] Apr. 27, 1981; [22] June 1, 1982; [23] June 28, 1982; and [24] Nov. 15, 1982.

George H. Foster, Jr. resigned Jan. 16, 1981; Don L. Lynch resigned Jan. 16, 1981; Robert C. McFarlane resigned Jan. 31, 1981; Elaine R. Rose resigned Mar. 25, 1981; Frances B. Frazier resigned Apr. 14, 1981; John T. Ticer resigned Apr. 14, 1981; Louise R. Hoppe resigned Apr. 28, 1981; Judith P. Hunt resigned June 7, 1981; William L. Ball III resigned June 30, 1981; Alton G. Keel, Jr. resigned Aug. 1, 1981; E. George Riedel resigned Jan. 1, 1982; Edward B. Kenney resigned Jan. 15, 1982; Ronald F. Lehman resigned Jan. 28, 1982; Kathleen Troia resigned Mar. 23, 1982; Tina R. Bowes resigned May 14, 1982; Ralph O. White resigned May 31, 1982; Carol S. Singer, resigned Oct. 22, 1982; Rhett B. Dawson, resigned Oct. 31, 1982; Carol J. Rudolph resigned Dec. 31, 1982.

RULES OF PROCEDURE

1. *Regular Meeting Day and Time.* The regular meeting day of the committee shall be each Thursday at 10:00 a.m., unless the committee or the chairman directs otherwise.

2. *Additional Meetings.* The chairman may call such additional meetings as he deems necessary.

3. *Special Meetings.* Special meetings of the committee may be called by a majority of the members of the committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. *Open Meetings.* Each meeting of the committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order

to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. *Presiding Officer.* The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member present at the meeting or hearing shall preside unless by majority vote the committee provides otherwise.

6. *Quorum.* (a) A majority of the members of the committee are required to be actually present to report a matter or measure from the committee.

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, six members of the committee shall constitute a quorum for the transaction of such business as may be considered by the committee.

(c) Three members of the committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. *Proxy Voting.* Proxy voting shall be allowed on all measures and matters before the committee. The vote by proxy of any member of the committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded.

8. *Announcement of Votes.* The results of all rollcall votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report, unless previously announced by the committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee who was present at such meeting. The chairman may hold open a rollcall vote on any measure or matter which is before the committee until no later than midnight of the day on which the committee votes on such measure or matter.

9. *Subpoenas.* Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued by the chairman or any other member designated by him, but only when authorized by a majority of the members of the committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. *Hearings.* (a) Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the committee or subcommittee determines that good cause exists for beginning such hearings at any earlier time.

(b) Hearings may be initiated only by the specified authorization of the committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the committee or subcommittee conducting such hearings.

(d) Witnesses appearing before the committee shall file with the clerk of the committee a written statement of his proposed testimony at least 24 hours not including weekends or holidays prior to a hearing at which he is to appear unless the chairman and the ranking minority member determines that there is good cause for the failure of the witness to file such a statement.

(e) Confidential testimony taken or confidential material presented in a closed hearing of the committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the committee or subcommittee.

(f) Any witness summoned to give testimony or evidence at a public or closed hearing of the committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(g) Witnesses providing unsworn testimony to the committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the chairman.

11. *Nominations.* Unless otherwise ordered by the committee, nominations referred to the committee shall be held for at least seven (7) days before being voted on by the committee. Each member of the committee shall be furnished a copy of all nominations referred to the committee.

12. *Real Property Transactions.* Each member of the committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than $50,000. Any member of the committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the chairman of the committee within thirty (30) days from the date of submission.

13. *Legislative Calendar.* (a) The clerk of the committee shall keep a printed calendar for the information of each committee member showing the bills introduced and referred to the committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the committee. A copy of each new revision shall be furnished to each member of the committee.

(b) Unless otherwise ordered, measures referred to the committee shall be referred by the clerk of the committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the committee. Each subcommittee of the committee is part of the committee, and is therefore subject to the committee's rules so far as applicable.

15. *Powers and Duties of Subcommittees.* Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to

the full committee on all matters referred to it. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full committee and subcommittee meetings or hearings whenever possible.

PUBLICATIONS

Hearings

Department of Defense Authorization for Appropriations for Fiscal Year 1982. Hearings on S. 815:

Part 1: Posture Statement of Secretary of Defense Caspar W. Weinberger; and General David C. Jones, Chairman, Joint Chiefs of Staff; and Budget Amendments: January 28, March 4, 1981; pages 1-610.

Part 2: Defense Management Report, Army Programs, Navy-Marine Corps Programs, Air Force Programs: January 29, February 3, 5, 6, 1981; pages 611-1078.

Part 3: Tactical Warfare. (Hearings before the Subcommittee on Tactical Warfare.): February 19, 23, 27, March 3, 5, 10, 12, 1981; pages 1079-1623.

Part 4: Sea Power and Force Projection. (Hearings before the Subcommittee on Sea Power and Force Projection.): March 4, 9, 11, 12, 17, 19, 25, 30, 1981; pages 1625-2316.

Part 5: Preparedness. (Hearings before the Subcommittee on Preparedness.): February 17, 18, 20, 25, 26; March 2, 6, 9, 11, 1981; pages 2317-3140.

Part 6: Manpower and Personnel. (Hearings before the Subcommittee on Manpower and Personnel.): February 24, 26; March 3, 5, 10, 17, 1981; pages 3141-3777.

Part 7: Strategic and Theater Nuclear Forces, Civil Defense. (Hearings before the Subcommittee on Strategic and Theater Nuclear Forces.): February 18, 20, 25, 27; March 4, 6, 11, 30, 1981; pages 3779-4385.

Fiscal Year 1982 Department of Energy Authorization for National Security Programs. Hearings on S. 846 before the Subcommittee on Strategic and Theater Nuclear Forces. March 13, May 5, 1981; 330 pages.

Fiscal Year 1981 Department of Defense Supplemental Authorization. Hearing on S. 694. March 23, 1981; 52 pages.

Military Construction Authorization, Fiscal Year 1982. Hearings before the Subcommittee on Military Construction. April 7, 8, May 4, September 29, 1981; 475 pages.

Pay Increases for Military Personnel. Hearing before the Subcommittee on Manpower and Personnel. May 7, 1981; 77 pages.

Stockpile Legislation. Hearings on S. 906; S. 1338; S. 1823; before the Subcommittee on Preparedness. June 17, 19, December 14, 1981; 168 pages.

Effects of Reduction of Impact Aid on Military. June 24, 1981; 61 pages.

Arms Control Policy, Planning and Negotiating. July 21, 24, December 1, 1981; 123 pages.

Defense Procurement Policy and Management. July 28, 1981; 76 pages.

Flag and General Officer Strengths. Hearing before the Subcommittee on Manpower and Personnel. September 17, 1981; 15 pages.

Uniformed Services Former Spouses Protection Act. Hearings on S. 1453, S. 1648, S. 1814, before the Subcommittee on Manpower and Personnel. September 22, 1981; February 10, March 10, April 29, 1982; 234 pages.

Military and Technical Implications of the Proposed Sale to Saudi Arabia of Airborne Warning and Control System (AWACS) and F-15 Enhancements. September 28, 30, 1981; 138 pages.

Navy's Plan to Move From Leased Space to the Washington Navy Yard. Hearing before the Subcommittee on Military Construction. September 30, 1981; 67 pages.

Strategic Force Modernization Programs. Hearings before the Subcommittee on Strategic and Theater Nuclear Forces. October 26, 27, 28, 29, 30; November 3, 4, 10, 12, 13, 1981; 457 pages.

Modernization of the U.S. Strategic Deterrent. October 5, November 5, 1981. 76 pages. (Strategic Modernization Programs.)

Naval Petroleum Reserves. Hearing before the Subcommittee on Preparedness. November 12, 1981; 117 pages.

Bonuses and Special Pay. Hearing before the Subcommittee on Manpower and Personnel. November 19, 1981; 47 pages.

Status of the Guard and Reserves. Hearings before the Subcommittee on Preparedness. December 1, 17, 1981; January 22, 1982; 171 pages.

Mobilization Fuel Requirements. Hearing before the Subcommittee on Preparedness. December 16, 1981; 26 pages.

Department of Defense Authorization for Appropriations for Fiscal Year 1983. Hearings on S. 2248:

Part 1: Posture Statement of Secretary of Defense Caspar W. Weinberger and General David C. Jones, Chairman, Joint Chiefs of Staff; Economies and Efficiencies in the Defense Budget, Deputy Secretary of Defense Frank C. Carlucci III. February 2, 8, 1982; pages 1-742.

Part 2: Defense Management Report; Army Programs; Navy-Marine Corps Programs; Air Force Programs. February 9, 10, 11, 25; March 26; April 16; May 10, 1982; pages 743-1401.

Part 3: Manpower and Personnel. (Hearings before the Subcommittee on Manpower and Personnel). February 26; March 2, 4, 11, 18, 24, 1982; pages 1403-1972.

Part 4: Tactical Warfare. (Hearings before the Subcommittee on Tactical Warfare.) February 4; March 3, 4, 5, 9, 11, 16, 17, 26, 1982; pages 1973-2707.

Part 5: Preparedness. (Hearings before the Subcommittee on Preparedness.) February 23, 26; March 1, 2, 3, 5, 8, 9, 12, 15, 16, 17, 18, 1982; pages 2709-3542.

Part 6: Sea Power and Force Projection. (Hearings before the Subcommittee on Sea Power and Force Projection.). March 5, 8, 12, 15, 16, 18, 19, 22, 23, 1982; pages 3543-4104.

Part 7: Strategic and Theater Nuclear Forces. (Hearings before the Subcommittee on Strategic and Theater Nuclear Forces.) February 23, 24, 26; March 1, 2, 5, 8, 10, 12, 15, 16, 17, 22, 1982; pages 4105-5072.

National Nuclear Waste Policy Act. Hearing on S. 1662 before the Subcommittee on Strategic and Theater Nuclear Forces. March 18, 1982; 52 pages.

Military Construction Authorization and Appropriation Fiscal Year 1983; Military Construction Codification Bill. Hearings before the Subcommittee on Military Construction of the Senate Armed Services Committee and the Subcommittee on Military Construction of the Senate Appropriations Committee (Joint Hearings on S. 2205 and S. 1990.) April 19, 20, 21, 22, 23, 1982; 520 pages.

Department of Energy Fiscal Year 1983 National Defense Programs Authorization. Hearing on S. 2286 before the Subcommittee on Strategic and Theater Nuclear Forces. April 26, 1982; 211 pages.

Medical Readiness of the Armed Services. Hearings before the Subcommittee on Manpower and Personnel. May 5, 26, 1982; 116 pages.

Drug and Alcohol Abuse. Joint hearing before the Subcommittee on Manpower and Personnel and the Subcommittee on Preparedness. May 18, 1982; 120 pages.

Strategic Stockpiles. Hearings before the Subcommittee on Preparedness. June 9, 10, 1982; 117 pages.

Proposed Integration of the Military Traffic Management Command and the Military Sealift Command into a Unified Command. June 17, 1982; 53 pages.

Manpower and Personnel Matters in the Armed Forces. Hearing before the Subcommittee on Manpower. August 5, 10, 1982.

Security at Shipyards, Naval Bases and Related Facilities. Hearing before the Subcommittee on Sea Power and Force Projection. August 10, 1982; 31 pages.

The Military Justice Act of 1982. Hearings on S. 2521 before the Subcommittee on Manpower and Personnel. September 9, 16, 1982.

Transfer of Certain Naval Vessels to Certain Foreign Governments. Hearing before the Subcommittee on Sea Power and Force Projection. September 21, 1982; 11 pages.

MX Missile Basing. December 8, 1982.

Defense Department Education System. Hearing before the Subcommittee on Manpower and Personnel. December 9, 1982.

Joint Chiefs of Staff Reorganization. December 16, 1982; 54 pages.

Reports

Number	
97-34	Report on the Activities of the Committee on Armed Services, March 31, 1982: 107 pages.
97-35	Department of Defense Supplemental Appropriation Authorization Act, 1981, April 1, 1981: 23 pages.
97-58	Department of Defense Authorization for Appropriations for Fiscal Year 1982, May 6, 1981: 197 pages.
97-141	Military Construction Authorization, Fiscal Year 1982, June 22, 1981: 74 pages.
97-146	Uniformed Services Pay and Benefits Act of 1981, July 8, 1981: 102 pages.

Reports—Continued

Number	
97-148	Authorizing Appropriations for Fiscal Year 1982 for Intelligence Activities of the U.S. Government, the Intelligence Community Staff, the Central Intelligence Agency Retirement and Disability System, and to Provide Certain Personnel Management Authorities for the Defense Intelligence Agency, and for other purposes, July 9, 1981: 10 pages.
97-173	Department of Energy National Defense Programs Authorization Act of 1982, July 30, 1981: 20 pages.
97-242	Military and Technical Implications of the Proposed Sale of Air Defense Enhancements to Saudi Arabia, October 22, 1981: 32 pages.
97-288	Armed Forces General and Flag Officer Act of 1981, December 3, 1981: 25 pages.
97-291	Authorization to Secretary of the Army to Return Certain Works of Art to the Federal Republic of Germany, December 10, 1981: 7 pages.
97-327	National Nuclear Waste Policy Act of 1981, March 25, 1982: 9 pages.
97-330	Department of Defense Authorization for Appropriations for Fiscal Year 1983 and Supplemental Authorization for Appropriations for Fiscal Year 1982, April 13, 1982: 222 pages.
97-440	Military Construction Authorization Fiscal Year 1983, May 27, 1982: 76 pages.
97-474	Military Construction Codification Act, June 17, 1982: 84 pages.
97-480	Authorizing Appropriations for Fiscal Year 1983, Intelligence, June 22, 1982: 2 pages.
97-502	Uniformed Services Former Spouses Protection Act, July 22, 1982: 57 pages.
97-517	Department of Energy National Defense Programs Authorization Act of 1983, August 5, 1982: 26 pages.
97-565	Uniformed Services Pay Act of 1982, September 21, 1982: 92 pages.
97-595	Authorizing the Transfer of Certain Excess Naval Vessels to Foreign Countries, September 28, 1982: 10 pages.
97-597	Subdivision of Budget Allocations, September 29, 1982: 2 pages.

Nominations: 97th Congress

Nomination of Caspar W. Weinberger, January 6, 1981: 61 pages.

Nomination of Frank C. Carlucci, January 13, 1981: 45 pages.

Nomination of John O. Marsh, Jr., January 26, 1981: 22 pages.

Nomination of George Vernon Orr, Jr., January 28, 1981: 12 pages.

Nomination of John F. Lehman, Jr., January 28, 1981: 30 pages.

Nominations of Fred C. Ikle, and William H. Taft IV, March 26, 1981: 24 pages.

Nomination of Lawrence J. Korb, April 9, 1981: 24 pages.

Nominations of Russell A. Rourke, and Henry E. Catto, Jr., April 29, 1981: 9 pages.

Nomination of Richard D. DeLauer, May 4, 1981: 17 pages.

Nominations of William R. Gianelli, Tidal W. McCoy, Joel E. Bonner, Jr., and Harry N. Walters, June 3, 1981: 32 pages.

Nominations of Russell D. Hale, Herman E. Roser, George A. Sawyer, and Edward J. Philbin, June 11, 1981: 35 pages.

Nomination of Francis J. West, Jr., June 25, 1981: 9 pages.

Nomination of Richard N. Perle, July 16, 1981: 16 pages.

Nominations of Edward C. Aldridge, Jr., and Alton G. Keel, Jr., July 29, 1981: 11 pages.

Nominations of James F. Goodrich, Thomas K. Turnage, and John S. Herrington, September 24, 1981: 31 pages.

Nominations of James R. Ambrose, and Jay Raymond Scully, October 6, 1981: 7 pages.

Nomination of Melvyn R. Paisley, November 18, 1981: 8 pages.

Nomination of Kinnaird R. McKee, February 23, 1982: 12 pages.

Nomination of Richard L. Wagner, April 26, 1982: 6 pages.

Nomination of John W. Vessey, Jr., May 11, 1982: 22 pages.

Nomination of Charles A. Gabriel, May 19, 1982: 9 pages.

Nomination of James D. Watkins, May 19, 1982: 17 pages.

Nomination of Emmett H. Walker, Jr., August 18, 1982: 11 pages.

Nominations of Andrew E. Gibson, and William W. Watkins, Jr., September 14, 1982: 6 pages.

Nomination of Paul W. Thayer, December 14, 1982: 23 pages.

Nomination of Thomas E. Cooper, December 16, 1982: 6 pages.

Committee Prints

Europe and the Middle East: Strains on Key Elements of America's Vital Interests (Cohen), April 23, 1982: 40 pages.

NATO: Can the Alliance Be Saved? (Nunn), May 13, 1982: 14 pages.

NATO and the Economic Recession (Quayle), August 20, 1982: 18 pages.

INFORMATION REGARDING APPOINTMENT OF BOARDS OF VISITORS TO THE UNITED STATES MILITARY, NAVAL, AND AIR FORCE ACADEMIES

Public Law 80-816 established a uniform procedure for the appointment of members of the Boards of Visitors of the Military and Naval Academies, and provides that there shall be appointed, on or before the last day of every year, Boards of Visitors to each of the Academies to be constituted as follows:

Senate:
  Chairman of the Armed Services Committee or his designee.
  *1 Senator.
  *2 members of the Senate Appropriations Committee.
    **(To be appointed by the Vice President)*

House:
  Chairman of the Armed Services Committee or his designee.
  **2 Congressmen.
  **2 members of the House Appropriations Committee.
    ***(To be appointed by the Speaker of the House)*

Presidential:
  6 persons, to serve for a 3-year term, 2 new members appointed each year. Each Board to visit respective Academy once annually.

Board of Visitors to:
  Military Academy: (Title 10, U.S.C. sec. 4355.)
    1981.—Senators Nunn, Inouye, D'Amato, Weicker.
    1982.—Senators Nunn, Inouye, Roth, Weicker.
  Naval Academy: (Title 10, U.S.C. sec. 6968.)
    1981.—Senators Jepsen, Hollings, McClure, Sarbanes.
    1982.—Senators Jepsen, Hollings, McClure, Sarbanes.
  Air Force Academy: (Title 10, U.S.C. sec. 9355.)
    1981.—Senators Goldwater, Stevens, Johnston, Hart.
    1982.—Senators Goldwater, Stevens, Johnston, Hart.